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FOURTH ANNUAL REPORT

OF THE

BOARD OF COMMISSIONERS

OF THE

CENTRAL PARK.

JANUARY, 1861.



NEW YORK:
WM. C. BRYANT & CO., PRINTERS, 41 NASSAU STREET, CORNER LIBERTY.

1861.

APPENDIX.

A.

ORDINANCES OF THE CENTRAL PARK.

The Board of Commissioners of the Central Park do ordain as follows:

All persons are forbidden—

To enter or leave the Park except by the gateways.

To climb or walk upon the wall.

To turn cattle, horses, goats, or swine into the Park.

To carry firearms or to throw stones or other missiles within it.

To cut, break, or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, or other constructions upon the Park ;

Or to converse with, or in any way to hinder those engaged in its construction.

Two pounds are hereby established within the Central Park, for the impounding of horses, cattle, sheep, goats, dogs, swine, and geese found trespassing upon said Park. All such animals found at large upon the Park may be taken by any person or persons, and driven or carried to one of the said pounds, and may be kept enclosed therein during five days, at the end of which time, if not previously claimed, they may be sold at public auction; provided that within two days after they shall have been impounded, notice of the sale shall have been conspicuously posted in the pound.

Any person claiming property in such impounded animals before the day of sale, may recover the same after suitable proof of his or her right thereto, upon payment for each animal

other than geese, of two dollars and the expenses of keeping, and for geese twenty-five cents and the expenses of keeping; the expenses of keeping to be reckoned as follows:

For each horse, dog, or head of neat stock, fifty cents per day.

For each goat, swine, or sheep, twenty cents per day.

For each goose, five cents per day.

These charges shall be paid to the property clerk of the Board, and the money thus collected shall by him be handed over, within one week, to the treasurer of the Board.

If, within one month after the sale of any impounded animals, their former owner shall appear and claim the same, the treasurer shall, after deducting the full amount of the charges provided for above, pay over to him the proceeds of their sale; otherwise the amount shall be added to the funds of the Board.

No animal shall travel on any part of the Central Park, except upon the "ride," or equestrian road, at a rate exceeding seven miles per hour. Persons on horseback shall not travel on the "ride," or equestrian road, at a rate exceeding ten miles per hour.

No vehicle shall be permitted on the "ride," or equestrian road, the same being devoted exclusively to equestrians; nor shall any vehicle, horse, or animal of burden, go upon any part of the Central Park except upon the "drive" and other carriage and transverse roads, and upon such places as are appropriated for carriages at rest.

No animal or vehicle shall be permitted to stand upon the "drive" or carriage roads of the Central Park, or any part thereof, to the obstruction of the way, or to the inconvenience of travel, nor shall any person upon the Central Park solicit or invite passengers.

No hackney coach, carriage, or other vehicle for hire, shall stand upon any part of the Central Park for the purpose of taking in any other passengers or persons than those carried to the Park by said coach, carriage, or vehicle.

No person shall expose any article or thing for sale upon the Central Park, except previously licensed by the Board of Commissioners of the Central Park, nor shall any hawking or peddling be allowed on the Central Park.

No omnibus or express wagon, with or without passengers, nor any cart, dray, wagon, truck, or other vehicle carrying goods, merchandise, manure, soil, or other articles, or solely used for the carriage of goods, merchandise, manure, or other articles, shall be allowed to enter any part of the Central Park except upon the transverse roads.

No threatening, abusive, insulting, or indecent language shall be allowed on the Central Park, whereby a breach of the peace may be occasioned.

No person shall be allowed to tell fortunes or play at any game of chance at, or with any table or instrument of gaming, nor to do any obscene or indecent act whatever on the Central Park.

In case of an emergency, where life or property are endangered, all persons, if required so to by the Superintendent, or any of his assistants, shall remove from the portion of the Central Park specified by the Superintendent or his assistants, and remain off the same till permission is given to return.

The Central Park shall be open daily to the public during the months of December, January, and February, from seven o'clock in the morning until eight o'clock in the evening; during the months of March, April, May, June, October, and November, from six o'clock in the morning until nine o'clock in the evening; and during the months of July, August, and September, from five o'clock in the morning until eleven o'clock in the evening.

The Superintendent may direct that any of the entrances to the Park be closed at any time, and may, on special occasions, also direct that the Park, or any portion thereof, remain open at other times than those above specified.

No person, other than employees of the Board of Commissioners of the Central Park, shall enter or remain in the Central Park, except when it is open, as above provided.

No dog shall be allowed upon any portion of the Central Park, unless led by a chain or proper dog-string, not exceeding five feet in length, nor shall any person be allowed to lead any quadruped (except dogs) in the Central Park.

No person, except in the employ of the Board of Commissioners of the Central Park, shall bring upon the Central Park

any tree, shrub, plant, or flower, nor any newly plucked branch, or portion of a tree, shrub, plant, or flower.

No person shall bathe, or fish in, or go, or send any animal into any of the waters of the Park, nor disturb any of the fish, water-fowl, or other birds in the Park, nor throw, or place any article or thing in said waters.

No person shall fire, discharge, or set off in the Central Park, any rocket, cracker, torpedo, squib, balloon, snake, chaser, or double-header, nor any fireworks or thing under any other name, composed of the same or similar material, or of the same or similar character, as the fireworks above specified.

No person shall place or propel any invalid chairs or perambulators upon any portion of the Central Park, except upon the walks.

No person shall post or otherwise affix any bill, notice, or other paper, upon any structure or thing within the Central Park, nor upon any of the gates or enclosures thereof.

No person shall, without the consent of the Comptroller of the Park, play upon any musical instrument within the Central Park, nor shall any person take into, or carry or display in the Central Park, any flag, banner, target, or transparency.

No military or target company, or civic or other procession, shall be permitted to parade, drill, or perform upon the Central Park, any military or other evolutions or movements.

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FIRST
ANNUAL REPORT

OF THE

Philadelphia
Commissioners of Fairmount Park.

PHILADELPHIA :

KING & BAIRD, PRINTERS, No. 607 SANSOM STREET.

1869.

SECT. 19. The said Park Commissioners shall have the power to govern, manage, lay out, plant and ornament the said Fairmount Park, and to maintain the same in good order and repair; and to construct all proper bridges, buildings, railways, and other improvements therein, and to repress all disorders therein under the provisions hereinafter contained.

SECT. 20. That the said Park Commissioners shall have authority to license the laying down, and the use for a term of years, from time to time, of such passenger railways as they may think will comport with the use and enjoyment of the said Park by the public, upon such terms as said Commissioners may agree; all emoluments from which shall be paid into the City Treasury.

SECT. 21. The said Park shall be under the following rules and regulations, and such others as the Park Commissioners may from time to time ordain:

I. No persons shall turn cattle, goats, swine or horses or other animals loose into the Park.

II. No persons shall carry fire-arms, or shoot birds in the Park, or within fifty yards thereof, or throw stones or other missiles therein.

III. No one shall cut, break, or in anywise injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, structures or statuary, or foul any fountains or springs within the Park.

IV. No person shall drive or ride therein at a rate exceeding seven miles an hour.

V. No one shall ride or drive therein, upon any other than upon the avenues and roads.

VI. No coach or vehicle used for hire, shall stand upon any part of the Park for the purpose of hire, nor except in waiting for persons taken by it into the Park, unless in either case at points designated by the Commission.

VII. No wagon or vehicle of burden or traffic shall pass through the Park, except upon such road or avenue as shall be designated by the Park Commissioners for burden transportation.

VIII. No street railroad car shall come within the lines of the Park without the license of the Park Commission.

IX. No person shall expose any article for sale within the Park without the previous license of the Park Commission.

X. No person shall take ice from the Schuylkill within the Park without the license of the said Commission first had, upon such terms as they may think proper.

XI. No threatening, abusive, insulting, or indecent language shall be allowed in the Park.

XII. No gaming shall be allowed therein, nor any obscene or indecent act therein.

XIII. No person shall go in to bathe within the Park.

XIV. No person shall fish or disturb the water-fowl in the pool, or any pond, or birds in any part of the Park, nor discharge any fire-works therein, nor affix any bills or notices therein.

XV. No person shall have any musical, theatrical, or other entertainment therein, without the license of the Park Commissioners.

XVI. No person shall enter or leave the Park except by such gates or avenues as may be for such purpose arranged.

XVII. No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the Park without the previous permission of the Commission; nor shall any gathering or meeting for political purposes in the Park be permitted under any circumstances.

XVIII. That no intoxicating liquors shall be allowed to be sold within said Park.

SECT. 22. Any person who shall violate any of said rules and regulations, and any others which shall be ordained by the said Park Commissioners, for the government of said Park, not inconsistent with this act, or the laws and constitutions of this State and United States—the power to ordain which rules and regulations is hereby expressly given to said Commissioners

—shall be guilty of a misdemeanor, and shall pay such fine as may be prescribed by said Park Commissioners, not to exceed five dollars for each and every violation thereof, to be recovered before any alderman of said City, as debts of that amount are recoverable, which fines shall be paid into the City treasury: *Provided*, That if said Park Commissioners should license the taking of ice in said Park, or the entry of any street or railroad therein, or articles for sale, or musical entertainments, it may be with such compensation as they may think proper, to be paid into the City treasury; *And provided*, That any person violating any of said rules and regulations shall be further liable to the full extent of any damage by him or her committed, in trespass or other action; and any tenant or licensed party who shall violate the said rules, or any of them, or consent to or permit the same to be violated on his or her or their premises, shall forfeit his or her or their lease or license, and shall be liable to be forthwith removed by a vote of the Park Commission; and every lease and license shall contain a clause making it cause of forfeiture thereof for the lessee or party licensed to violate or permit or suffer any violation of said rules and regulations or any of them. It shall be the duty of the police appointed to duty in the Park, without warrant, forthwith to arrest any offender against the preceding rules and regulations, whom they may detect in the commission of such offence, and to take the person or persons so arrested forthwith before a magistrate having competent jurisdiction.

SECT. 23. All rents, license charges and fees; all fines, proceeds of all sales, except of lands purchased, and profits of whatsoever kind to be collected, received, or howsoever realized, shall be paid into the City treasury, as a fund to be exclusively appropriated by Councils for Park purposes, under the direction of said Commission: *Provided*, That moneys or property given or bequeathed to the Park Commissioners upon specified trusts shall be received and receipted for by their Treasurer, and held and applied according to the trusts specified.

SECT. 24. That the Councils of the City of Philadelphia be and they are hereby authorized to widen and straighten any street laid upon the public plans of said City, as they may think requisite to improve the approaches to Fairmount Park.

• SECT. 25. That nothing in this Act contained shall suspend or affect any proceeding pending in court under any existing law; but the same shall be proceeded in as if this Act had not been passed.

SECT. 26. The damages for ground and property taken for the purpose of this Act shall be ascertained, adjusted and assessed in like manner as is prescribed by the Act to which this is a supplement.

SECT. 27. The said Park Commissioners shall employ, equip, and pay a Park force, adequate to maintain good order therein and in all houses thereupon; which

force shall be subject to the orders of the Mayor upon any emergency; and so far as said force shall consist of others than the hands employed to labor in the Park, it shall be appointed and controlled as the other police of the City.

SECT. 28. [There shall be an additional assistant appointed by the City Solicitor, whose duty it shall be, under the direction of the City Solicitor, to attend to the assessments of damages, and to such other business of a legal nature connected with the Park as said Commissioners may require.]*

Approved April 14, 1868.

* Repealed by the 5th section of the Act of January 27, 1870, page 30.

ANNUAL REPORTS

OF THE

CITY OFFICERS AND CITY BOARDS

OF THE

CITY OF SAINT PAUL,

FOR THE FISCAL YEAR ENDING DECEMBER 31, 1888.

GLOBE JOB OFFICE,
D. RAMALEY & SON, PRINTERS,
1889.

OF THE CITY OF SAINT PAUL, FOR 1888.

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RULES AND REGULATIONS OF THE PUBLIC PARKS AND GROUNDS OF THE CITY OF SAINT PAUL.

1. No person shall drive or ride in any Park in the City of Saint Paul at a rate exceeding seven (7) miles per hour.

2. No person shall ride or drive upon any other part of any Park than the avenues and roads.

3. No coach or vehicle used for hire shall stand upon any part of any Park for the purpose of hire, unless licensed by the Board of Park Commissioners.

4. No person shall indulge in any threatening or abusive, insulting or indecent language in any Park.

5. No person shall engage in any gaming nor commit any obscene or indecent act in any Park.

6. No person shall carry firearms or shoot birds in any Park or within fifty yards thereof, or throw stones or other missiles therein.

7. No person shall disturb the fish or water fowl in any pool or pond or birds in any part of any Park, or annoy, strike, injure, maim or kill any animal kept by direction of the Board of Park Commissioners, either running at large or confined in a close; nor discharge any fireworks, nor affix any bills or notices therein.

8. No person shall cut, break or in anywise injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, bridges, structures or statuary, or foul any fountain, well or spring within any Park.

9. No person shall throw any dead animal or offensive matter, or substance of any kind into any lake, stream or pool, within the limits of any Park.

10. No person shall go in to bathe within the limits of any Park.

11. No person shall turn cattle, goats, swine, horses, dogs or other animals loose in any Park, nor shall any animals be permitted to run at large therein.

12. No person shall injure, deface or destroy any notices, rules or regulations for the government of any Park, posted or in any other way fixed by order or permission of the Board of Park Commissioners within the limits of any Park.

13. Complaints against any employe of any Park may be made at the office of the Superintendent of Parks.

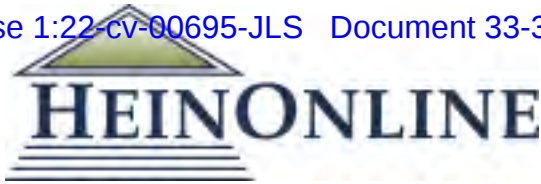
14. No person shall use any Park drive for business purposes, or for the transportation of farm products, dirt or any like material, or for the passage of teams employed for such purposes.

Any person who shall violate any of the foregoing rules and regulations shall be guilty of a misdemeanor, and for each and every offense shall be fined not less than the sum of Five Dollars (\$5), nor more than Fifty Dollars (\$50), which sum shall be paid into the city treasury for park purposes.

JOHN D. ESTABROOK,

Superintendent.

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tion (so called), and also all that part of said city lying and being east of the east bank of the Au Sable river, be and the same is hereby detached from the city of Au Sable, in said county of Iosco, State of Michigan, and the same shall be, and is hereby attached to the township of Au Sable in said county and State aforesaid. But the territory hereby detached shall not be relieved in any manner from its just share and proportion of the present legal bonded indebtedness of said city of Au Sable, together with interest thereon, and said indebtedness shall be apportioned in accordance with the provisions of act number thirty-eight of the session laws of eighteen hundred and eighty-three, approved April twenty-first, eighteen hundred and eighty-three, entitled "An act to provide for the adjustment of rights and liabilities on division of territory of cities and townships," and acts amendatory thereof.

Territory detached shall not be relieved of its share of legal bonded indebtedness.

SEC. 2. This act shall not be construed as nullifying or repealing an act entitled "An act to incorporate the board of education of the city of Au Sable," being act number two hundred and eighty-five of the local acts of eighteen hundred and ninety-one, and the persons elected as members of such board of education under the provisions thereof shall continue to have and exercise all the duties, powers and jurisdictions conferred upon them by the provisions thereof, within the territory and district in which their jurisdiction now extends.

This act not to repeal the act incorporating the board of education.

SEC. 3. The matter of procedure in the matter of apportioning, levying and collecting taxes for the support of the schools within said district, and for altering the boundaries thereof, shall be the same as near as may be as is provided by law in the case of fractional school districts.

Procedure in the matter of taxes.

Approved May 24, 1895.

[No. 436.]

AN ACT to amend an act entitled "An act supplemental to the charter of the city of Detroit, and relating to parks, boulevards and other public grounds in said city, and to repeal act number three hundred and seventy-four of the local acts of eighteen hundred and seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard about the limits of the city of Detroit and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne,' approved May twenty-one, eighteen hundred and seventy-nine," as amended by act number four hundred and fifteen of the local acts of eighteen hundred and ninety-three, approved May twenty-ninth, eighteen hundred and ninety-three, by amending sections six, seven and fourteen thereof, and to add to said act twenty new sections to stand as sections thirty-two, thirty-three, thirty-four, thirty-five, thirty-

six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty and fifty-one of said act.

Act amended
and sections
added.

SECTION 1. *The People of the State of Michigan enact,* That an act entitled "An act supplemental to the charter of the city of Detroit, and relating to parks, boulevards and public grounds in said city, and to repeal act number three hundred and seventy-four of the local acts of eighteen hundred and seventy-nine, entitled 'An act to provide for the establishment and maintenance of a broad street or boulevard about the limits of the city of Detroit and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne,' approved May twenty-one, eighteen hundred and seventy-nine," as amended by act number four hundred and fifteen of the local acts of eighteen hundred and ninety-three, approved May twenty-nine, eighteen hundred and ninety-three, be amended by amending sections six, seven and fourteen thereof, and by adding twenty new sections to stand as sections thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty and fifty-one, to read as follows:

Commissioners
to have control,
management,
and charge of
improvements of
all parks and
public grounds.

SEC. 6. The commissioners shall have the control and management, and shall have charge of the improvement of all the parks and public grounds of said city, including the island park (known as "Belle Isle park"), and of such parks or public grounds as may hereafter be acquired, laid out, purchased or dedicated for public use in said city. And they shall likewise have control, management and charge of the improvement and maintenance of the boulevard, which was laid out and established as provided by the (said) act creating said board of boulevard commissioners, and of any other boulevard which may at any time be hereafter acquired, laid out, established or located by said city. The authority hereby conferred shall not be construed as giving charge or control to said commissioners over and to the improvement of any ordinary public street or alley. When the estimated cost of any work or improvement ordered by said commissioners shall exceed the sum of one thousand dollars, the same shall be done by contract, after advertisements for bids in at least two daily papers, printed in said city, for at least seven days.

When improve-
ments to be
done by con-
tract.

May make rules
and regulations
for maintenance
and care of.

SEC. 7. The said commissioners may make all needful rules and regulations for the management, maintenance and care of the said parks, public grounds and boulevard or boulevards, and for the regulation thereof, and the common council of said city may provide by ordinance for the observance of the same, and may also in like manner provide for the observance and enforcement of any other rules and regulations duly made by said commissioners under any of the provisions of this act. And said common council may by ordinance further provide for the preservation and protection of the parks, public grounds

Protection of.

and boulevards, and any of the property in charge of said commissioners against any destruction or injury, and prevent the destruction or injury to or the taking of any trees, shrubs, plants, flowers or other things set out, planted or used by said commissioners in beautifying, improving or ornamenting said parks, public grounds or boulevards, and to prevent any disorder or disturbance on or about said parks, public grounds or boulevards, or any encroachment thereon or interference with the quiet and peaceable use and enjoyment of the same for the purpose for which the same are established and maintained. Said ordinances may provide for the punishment for any breach or violation of any of their provisions by like penalties provided for violation of ordinances of said city. The commissioners of metropolitan police for the city of Detroit, upon the request of said commissioners of parks and boulevards, shall detail for service in any of the grounds under the charge of said park and boulevard commissioners, so many of the police force as may be necessary to maintain order and protect the property thereon, and any policeman on duty on said grounds may remove therefrom any person who may violate any of the rules and regulations of said commissioners, or any of the ordinances of said city, adopted as aforesaid, relating to said parks, public grounds or boulevards: *Provided*, That said commissioners of parks and boulevards, may in lieu of such detail by said commissioners of metropolitan police, appoint as many persons as may be necessary to maintain order and protect the property on any of the grounds, under the charge of the said park and boulevard commissioners, and such persons so appointed shall have all the powers of regularly appointed policemen of said city in and upon said grounds, but not elsewhere.

Police commissioner to detail police to maintain order and protect property on request.

Proviso.

SEC. 14. The grounds of which said commissioners may have control shall be used and enjoyed solely for the purposes for which they were established: *Provided*, That privileges for the hiring of boats and vehicles and other like purposes such as are usual in public parks may be let by the commissioners for a period not exceeding three years, but the same shall be exercised and permitted only upon the same being subject to their supervision and direction, and to such orders, rules and regulations as the said commissioners may make at any time: *Provided further*, That said commissioners may prohibit the construction, use and maintenance of any and all railway or tramway cars, tracks, engines or motors on Belle Isle park, or other city park or boulevard.

To be used for purpose for which they were established.

Proviso.

Further proviso.

SEC. 32. No person shall bring, drive or lead any swine, goat, cattle or any other animal other than horses or other beasts of burden in, on or along the boulevard, Belle Isle or any other parks or public grounds in charge of the commissioners of parks and boulevards; and no person shall lead any horse, mule or other animal on said boulevard or the driveways of either of said parks, or draw a second carriage, wagon or other vehicle with any horse or other motive power, nor drive thereon any

Driving or leading any swine, goat or cattle on or along boulevard or parks prohibited.

horse, before any sleigh or sled, unless there shall be a sufficient number of bells attached to harness of such horse, or to such sleigh or sled to warn persons of their approach.

Driving or speeding.

SEC. 33. No person shall ride or drive in said park or along said boulevard at a rate of speed exceeding eight miles per hour, excepting that horses may be speeded on such parts of said boulevard or Belle Isle park as may be set apart by said commissioners for that purpose, and then only under such regulations as the commissioners may prescribe.

Riding, driving, or drawing any velocipede, bicycle, hand-cart, horse or animal on the walks, etc., prohibited.

SEC. 34. No person shall ride, drive or draw any velocipede, bicycle, tricycle, wheelbarrow, handcart or any other vehicle, or any horse or other animal on the footwalks or sidewalk, grass plots or planting places of said parks or boulevard, or upon any other part or portion thereof, excepting upon the carriage drives; and no person shall permit any vehicle or animal to stand upon such roadways or carriage drives to the obstruction of the way or inconvenience of travel, and no person shall solicit passengers for hire on either of said park or boulevard, excepting by direction or permission of said commissioners.

Not to tie any animal to trees, shrubs, electric light tower or lamp post.

SEC. 35. No person shall tie any animal to any tree or shrub, electric light tower, lamp post, fire hydrant, or dock or building in said park or boulevard, nor pluck, break, trample upon or interfere with any grass, flower, plant or shrub in any of said parks or boulevards, or climb, peel, cut, deface, remove, injure or destroy any tree or shrub in any public park or boulevard, or pasture any animal on the grass in any of said parks or boulevards, and no person shall stand, walk or lie upon any part of any public park or boulevard laid out and appropriated for shrubbery or for grass when there shall have been placed thereon a sign having the words, "Keep off the grass," or other similar words thereon.

No heavy traffic permitted.

SEC. 36. No heavy traffic shall be permitted on said boulevard or any of said parks, and no person shall drive any wagon, cart, dray, truck or other vehicle for the carrying of or laden with merchandise, manure, coal, wood or building material of any kind: *Provided*, That where there is no alley or side street by which premises fronting on the boulevard can be reached, trucks and such heavy vehicles carrying goods, merchandise or other articles to or from any house or premises abutting on the boulevard shall be permitted to enter thereon at the cross street nearest said house or premises in a direction in which the same are moving, and deliver or receive such goods, merchandise or articles, but shall not proceed thereon further than the nearest cross street thereafter: *Provided further*, That nothing in this section shall prevent the driving of milk wagons and ordinary light grocery or meat delivery wagons, along the boulevard for the accommodation of residents thereon.

Proviso.

Further proviso.

Not to cut, break or injure any property, or post notices.

SEC. 37. No person shall cut, break or in any way injure any electric light tower, lamp post, fence, bridge, dock, building, fountain or other structure or property in or upon any of said parks or boulevards, and no person shall post or fix any

notice or bill or other writing or printing on any tree, tower, lamp post, hydrant, curbstone, coping, flagstone, fence, dock, bridge, wall, building or other place under the charge or control of said commissioners.

SEC. 38. No person shall drive any vehicle displaying any placard or advertisement of any kind along said boulevard or on or along the driveway of any of said parks, nor shall any person display any placard or any advertisement of any kind on or upon or along the said boulevard or any of the said parks for advertising only.

Not to drive any display advertisement or placards along the parks or boulevards.

SEC. 39. No person shall dig, remove or carry away any sward, sand, turf or earth in or from any public park, or boulevard, and no person shall open or dig up or tunnel under any part or portion of the boulevard without a permit from the commissioners of parks and boulevards, and before granting any such permit the applicant therefor shall be required to deposit with the secretary of said commissioners such sum of money as the superintendent of the boulevard or such other officer as the commissioners may designate for that purpose, shall estimate, will fully cover any expense to be incurred by the commissioners in connection with such opening or tunneling, and the commissioners may make suitable regulations and conditions with respect to issuing said permits. And said commissioners may retain the actual expense, which shall be certified by the superintendent, which may be incurred by the commissioners in connection with any work done by them, for the purpose of restoring any roadway, sidewalk, planting place or other portion of said boulevard, and the secretary shall refund to the person to whom said permit shall be issued the difference, if any, between the amount deposited and the amount so certified by the superintendent. Carriage or driveways and footwalks connecting with any premises adjoining the boulevard, or hitching posts thereon, shall be allowed only on a permit issued under this section, and the material used in making such ways, walks or posts shall be determined by the said commissioners.

Not to dig, remove or carry away any sward, sand or turf from parks.

SEC. 40. No person shall place or deposit any dead carcass, ordure, filth, dirt, stone, ashes, garbage or rubbish of any kind, or other matter or substance on the said boulevard, or of any of said public parks, and no person shall wade into or throw any wood, sand, stone, or other substance into any basin, pool, lake or fountain in any public park, or bathe or fish in any of the waters thereon, except on Belle Isle park, where persons may bathe and swim, but only under such restrictions and conditions as may be prescribed by the commissioners of parks and boulevards; and no person shall send or ride any animal into same, nor shall any person kill, molest or disturb any fish, fowl or animals kept thereon.

Not to deposit dead carcasses, filth, dirt, stones, etc., on the boulevard or parks.

SEC. 41. No person shall build or place any fence, or other barrier around any grass plot or planting place on said boulevard or public park, or place any building or obstruction of any kind thereon.

Not to build any fence or barrier around grass plots or planting place.

SEC. 42. No person shall play at any game whatever in or upon said boulevard, or on any of the said parks, under the

Not to play certain games.

Proviso.

charge of the said commissioners: *Provided, however,* That ball, cricket, lawn tennis and other like games of recreation may be played upon such portions of said parks as may be designated from time to time by the commissioners and under such rules and regulations as may be prescribed by them.

Not to engage in sport liable to frighten horses.

SEC. 43. No person shall engage in any sport or exercise upon said boulevard or park as shall be liable to frighten horses, injure travelers, or embarrass the passage of vehicles thereon.

Not to discharge firearms or fireworks.

SEC. 44. No person shall fire or discharge any gun or pistol or carry firearms, or throw stones or other missiles within said park or boulevard, nor shall any person fire, discharge or set off any rocket, cracker, torpedo, squib or other fireworks or things containing any substance of any explosive character on said park or boulevard, without the permission of said commissioners, and then only under such regulations as they shall prescribe.

No person shall expose or offer any article or thing for sale, play any musical instrument, etc., without permission of commissioners.

SEC. 45. No person shall expose any article or thing for sale or do any hawking or peddling in or upon said parks or boulevard, and no person, without the consent of said commissioners, shall play upon any musical instrument, or carry or display any flag, banner, target or transparency, nor shall any military or target company, or band or procession parade, march, drill or perform any evolution, movement or ceremony within any of said parks, or upon or along said boulevard, without the permission of said commissioners, and no person shall do or perform any act tending to the congregating of persons on said boulevard or in said parks.

Gambling and disorderly conduct.

SEC. 46. No person shall gamble, nor make any indecent exposure of himself or herself, nor use any obscene language, or be guilty of disorderly conduct, or make, aid, countenance or assist in making any disorderly noise, riot, or breach of the peace, within the limits of the said parks or boulevards; and no person shall sell or dispose of any intoxicating liquors in or upon any public park without the consent of the said commissioners.

Intoxicating liquors.

All boats, carriages, railroad cars, and vehicles running for hire to be licensed.

SEC. 47. All boats and vessels, carriages, railroad cars and other vehicles running for hire to and from said Belle Isle park, or any other park, shall be duly licensed and shall be subject to all the rules and regulations that may be established by said commissioners or by the common council from time to time, and no person shall carry on the business of carrying passengers to and from either of said parks unless their vehicles shall be so licensed. And no person commanding or having charge of any boat, carrying passengers for hire shall land or permit any passengers therefrom to land at any dock on Belle Isle park, excepting such as may be designated for that purpose by the commissioners, and no person having charge of any vessel shall fasten or tie the same at any wharf or dock in Belle Isle park, excepting for the purpose of receiving or discharging passengers as permitted by this section.

SEC. 48. No person shall place or deposit or allow to be placed or keep or deposit on any part of said boulevard any

LOCAL ACTS, 1895.—No. 436.

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building material without the written permission of said commissioners, which permit shall state the space to be occupied and the length of time during which said permit shall be in force, and every person having use of any portion of said boulevard for the purpose of erecting or repairing any building or for placing or keeping any building material or any other article or thing thereon which shall cause any obstruction to travel thereon or render the same in any respect dangerous to travelers thereon, shall cause two red lights to be placed in conspicuous places, one at the end of said obstruction, from sunset until sunrise in the morning of each day during the time such obstruction shall remain, and shall also construct and maintain proper safeguards, and a good and safe plank sidewalk around such obstruction, which sidewalk shall be at least two feet wide, and no such permit shall be granted under this section unless in the application therefor the party applying shall agree to indemnify the city against all liability from injury to any person or property arising from such obstruction.

Not to deposit building material on any part of boulevard without written permission of commissioners.

Red lights to be placed in conspicuous places.

SEC. 49. No person shall conduct or permit any funeral procession or hearse to be driven upon the boulevard: *Provided*, That nothing herein contained shall be construed to prevent the removal of any corpse from any house abutting upon said boulevard, and the forming of the funeral procession thereon, but the hearse or procession shall not proceed further thereon than the nearest paved cross street in the direction in which said hearse shall move.

Funeral processions not to drive on boulevard. Proviso.

SEC. 50. No person shall remove any house or building on, along or across the boulevard, except on the written permission of said commissioners, which shall be issued only upon such terms and conditions, and under such regulations as they may prescribe, and upon a deposit with the secretary of said commissioners of such sum as may be fixed by said commissioners, and as they shall estimate will fully cover all damages to walks, roadways, grass plots, trees and other property and improvements of said boulevard, and said permit shall be issued only upon the express condition that said moving shall be commenced and completed between the hours of one and six o'clock in the forenoon, and the occupancy of the said boulevard shall continue only between said hours and after said moving shall have been completed, the roadway, grass plot, walks and other property and improvements shall be restored to their former condition by the said commissioners or under the supervision of their superintendent, and their superintendent shall thereupon certify to the secretary the actual expense incurred in such restoration, and the secretary shall refund to the person to whom said permit shall be issued the difference, if any, between the amount deposited and the amount so certified by the superintendent.

Not to remove any house or building on or along the boulevard without written permission of commissioner.

SEC. 51. Any violation of the provisions of this act shall be punished in the recorder's court by a fine not to exceed one hundred dollars and costs, and, in the imposition of any fine and costs, the court may make a further sentence, that the offender be imprisoned in the Detroit House of Correction

Penalty for violation.

until the payment of such fine, for any period of time not exceeding six months.
This act is ordered to take immediate effect.
Approved May 24, 1895.

[No. 437.]

AN ACT to amend sections two, five, seven and eleven of act number three hundred eighty-three of the local acts of eighteen hundred ninety-three, entitled "An act to provide for the election of two justices of the peace and for the appointment of a justice clerk in and for the city of Saginaw, and to define their jurisdiction and to fix their compensation; and to abolish and discontinue the five offices of justice of the peace of said city, upon the expiration of the terms of the present incumbents thereof; and to provide for the filing of the files, records and dockets belonging to or appertaining to the offices abolished and discontinued, and for the issuance of executions upon judgments appearing on said dockets and to repeal all provisions of the charter of the city of Saginaw and of all other acts or parts of acts in any wise contravening the provisions of this act," approved May thirteenth, eighteen hundred ninety-three.

Sections amended.
SECTION 1. *The People of the State of Michigan enact,* That sections two, five, seven and eleven of act number three hundred eighty-three of the local acts of eighteen hundred ninety-three, entitled "An act to provide for the election of two justices of the peace, and for the appointment of a justice clerk in and for the city of Saginaw, and to define their jurisdiction and to fix their compensation, and to abolish and discontinue the five offices of justices of the peace of said city, upon the expiration of the terms of the present incumbents thereof, and to provide for the filing of the files, records and dockets belonging to or appertaining to the offices abolished and discontinued, and for the issuance of executions upon judgments on said dockets, and to repeal all provisions of the charter of the city of Saginaw and of all other acts or parts of acts in any wise contravening the provisions of this act," approved May thirteenth, eighteen hundred ninety-three, be amended so as to read as follows:

Justices to have same jurisdiction as justices of townships.
Jurisdiction of civil cases.
SEC. 2. The said justices of the peace for the city of Saginaw shall have the same jurisdiction and powers and perform the same duties as are now exercised and performed, or may at any time hereafter be conferred by law upon justices of the peace for townships, together with jurisdiction in civil cases, where either of the parties to any such action reside in the county of Saginaw, and such further jurisdiction as may be provided by statute. In cases of examination of offenders by either of said justices, for offenses committed against the crim-

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THE
MUNICIPAL CODE
OF
CHICAGO:

COMPRISING THE
LAWS OF ILLINOIS RELATING TO THE CITY OF CHICAGO,
AND THE
ORDINANCES OF THE CITY COUNCIL;
CODIFIED AND REVISED

BY
EGBERT JAMIESON AND FRANCIS ADAMS.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

CHICAGO:
BEACH, BARNARD & Co., LEGAL PRINTERS.
1881.

Ovd83
C4d
881

person who shall be convicted of any such breach shall be adjudged to pay a fine of not less than three dollars nor more than one hundred dollars.

1683. In every prosecution brought for a violation of any ordinance of the city of Chicago, where the offense charged is one punishable under the laws of the State of Illinois as a misdemeanor, the court or magistrate trying the cause may upon conviction in lieu of the fine imposed by the ordinance or in addition thereto, cause the offender to be imprisoned in the house of correction for a period not exceeding three months.

1684. All the printed books containing the revised ordinances shall be deposited with the city comptroller. He shall deliver one copy thereof to each officer of the city, and to such other persons as the city council may direct.

1685. The mayor shall have power to extend to or reciprocate courtesies of other cities, by presenting to them a copy of the revised ordinances bound at the expense of the city in such manner as to him may seem suitable.

ARTICLE XLIII.

Parks and Public Grounds.

1686. The several public parks, squares and grounds in the city of Chicago, shall be known and designated by the names applied thereto respectively on the map of the city of Chicago published by J. Van Vechten and Snyder in the year 1877.

1687. It shall be the duty of the commissioner of public works to superintend all inclosed public grounds and keep the fences thereof in repair, the walks in order and the trees properly trimmed and improve the same according to plans approved by the city council. He shall likewise cause printed or written copies of prohibitions of this article to be posted in the said grounds or parks.

1688. No person shall enter or leave any of the public parks of the city of Chicago except by their gateways; no person shall climb or walk upon their walls or fences.

1689. Neither cattle, horses, goats, swine or other animals, except as herein provided, shall be turned into any one of the said parks by any person.

1690. All persons are forbidden to carry firearms or to throw stones or other missiles within any one of the public parks. All persons are forbidden to cut, break or in any way injure or deface

the trees, shrubs, plants, turf or any of the buildings, fences, bridges or other construction or property within or upon any of the said parks.

1691. No person shall converse with or in any way hinder those engaged in their construction.

1692. No person shall expose any article or thing for sale upon any of said parks, except such person shall have been previously licensed by the commissioner of public works, nor shall any hawking or peddling be allowed therein.

1693. No threatening, abusive, insulting or indecent language shall be allowed in any part of either of the said parks whereby a breach of the peace may be occasioned. No person shall be allowed to tell fortunes or play at any game of chance at or with any table or instrument of gaming, nor to do therein any obscene or indecent act.

1694. In case of any emergency where life or property is endangered, all persons if required so to do by the superintendent or any of his assistants, shall remove from the portion of either of said parks specified by the superintendent or his assistants and remain off the same until permission is given to return.

1695. The commissioner of public works may direct that any of the entrances to the public parks be closed at any time.

1696. No person shall bathe or fish in, or go or send or ride any animal in any of the waters of either of the said public parks, nor disturb any of the fish, water fowl or other birds in any of said parks, or any deer, sheep or other animal belonging to and preserved therein, nor throw or place any article or thing in the waters within either of said parks.

1697. No person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within either of said parks nor upon any of the gates or inclosures thereof.

1698. No person shall without the consent of the commissioner of public works, play upon any musical instrument nor shall any person take into or carry or display in the said public parks any flag, banner, target or transparency. No military or target company civic or other shall be permitted to parade, drill or perform therein any military or other evolutions or movements. Nor shall any fire engine, hook and ladder truck, hose cart or other machine on wheels commonly used for the extinguishing of fires be allowed on any part of said parks without the previous consent of the commissioner of public works.

1699. No person other than employes shall light, make or use any fire thereon.

1700. No person shall go upon the grass, lawn or turf of the parks except when and where the word "common" is posted, indicating that persons are at liberty at that time and place to go on the grass.

1701. Any member of the city police shall have power to arrest any person who shall not desist from any violation hereof when directed, and cause him to be committed for examination.

1702. The foregoing sections of this article so far as applicable shall apply to all the public squares of the city of Chicago.

1703. Any person who shall violate any or either of the provisions of this or any section or clause or any provision of any section thereof, or who shall neglect or fail or refuse to comply with any or either of the requirements thereof, shall on conviction pay a fine of not less than five dollars nor more than one hundred dollars.

ARTICLE XLIV.

Pawnbrokers and Loanbrokers or Keepers of Loan Offices.

1704. The mayor may from time to time grant licenses to such persons as shall produce to him satisfactory evidence of their good character to exercise or carry on the business of a pawnbroker, or of a loanbroker or keeper of a loan office; and no person shall exercise or carry on the business of a pawnbroker, loanbroker or keeper of a loan office without being duly licensed, under the penalty of one hundred dollars for each day he or she shall exercise or carry on said business without such license.

1705. Any person who loans money on deposit or pledge of personal property or other valuable thing, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, is hereby defined and declared to be a pawnbroker.

1706. Every person receiving such license shall pay therefor the sum of one hundred and fifty dollars for the use of the city.

1707. Every person so licensed shall at the time of receiving such license, enter with two sufficient sureties into a joint and several bond to the city of Chicago in the penalty of five hundred dollars, conditioned for the due observance of all such ordinances of the city council as may be passed or in force respecting pawnbrokers and loanbrokers or keepers of loan offices, at any time during the continuance of such license.

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[PUBLISHED BY AUTHORITY.]

THE
REVISED ORDINANCES

OF

SALT LAKE CITY,
_M
Ordinances, etc.

WITH THE

CITY CHARTER AND AMENDMENTS THERETO.

FEBRUARY 14, 1888.

SALT LAKE CITY, UTAH:
PRINTED BY THE STAR PRINTING COMPANY.

1888.

CC
Salt Lake City
3
1888

44-158
Judah P. Benjamin

CHAPTER XXVII.

OF LIBERTY PARK.

1. Mayor to control Park and appoint Keepers. Keepers given police powers.
2. When gates to be closed.
3. Drays, trucks, etc., not to travel upon drives.
4. Rate of speed. Racing prohibited.
5. Venling in Park prohibited.
6. Injuring property. Disturbance. Animals trespassing, etc. Firearms.
7. Rule in meeting vehicles.
8. Associations, etc., to get permit.
9. Penalty.

SECTION 1. The Mayor shall have the control and charge of Liberty Park, and shall have power to appoint one or more Park Keepers, whose duties shall be to have charge of the Park, under the Mayor's direction, and to see that the provisions of this chapter are carried into effect; and for that purpose they are hereby given police powers and authorized to arrest any person violating any of the provisions of this chapter.

SEC. 2. All the gates of Liberty Park shall be closed at nine o'clock each evening; and all travel on the roads of said Park, or other use of the grounds between nine o'clock P. M. and five o'clock A. M., shall be unlawful except by permission of the Mayor.

SEC. 3. No dray, truck, wagon, cart or other vehicle carrying, or if not carrying, employed regularly in carrying goods, merchandise, manure, soil or other article of commerce or trade, shall be allowed to travel upon the drives of said Park.

SEC. 4 All persons are hereby prohibited from riding or driving upon the roads within said

Mayor to control Park and appoint Keepers.

Keepers given police powers.

When gates to be closed.

Drays, trucks, etc., not to travel upon drives.

Rate of speed.

Racing
prohibited.

Park at a rate of speed exceeding eight miles per hour, and it shall be unlawful for two or more persons to engage in racing with animals in said Park except by consent of the Keeper thereof.

Vending in
Park pro-
hibited.

SEC. 5. No person shall vend or sell, or offer to vend or sell any article or thing whatever within said Park without the consent of the City Council.

Injuring prop-
erty.

SEC. 6. No person shall, within Liberty Park, cut, break, or in any way injure or deface any trees, shrubs, plants, buildings, fences or property of any kind; or indulge in noisy, boisterous, riotous, or indecent behavior, or use any boisterous or offensive language; or, except authorized by the Mayor: 1—Let loose any cattle, horses, goats, sheep or swine. 2—Drive a herd of said animals through the grounds. 3—Carry or discharge firearms. 4—Camp, lodge or tarry over night. 5—Ride or drive any horse or other animal, with or without vehicle, elsewhere than on the roads or drives for such purposes provided. 6—Catch or kill any birds or fish of any kind.

Disturbance.

Animals tres-
passing, etc.

Firearms.

Rule in meet-
ing vehicles.

SEC. 7. All persons in riding or driving in said Park, when meeting other animals or vehicles, shall pass to the right.

Associations,
etc., to get
permit.

SEC. 8. When any company or association of persons exceeding fifty in number desire to resort to the Park for any lawful purpose, they, or one representing them, shall first get the permission of the Mayor.

Penalty.

SEC. 9. Any person violating any of the provisions of this chapter shall, upon conviction, be liable to a fine of not to exceed fifty dollars.

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From Henry Shaw to
Genl. Asa Gray
Cambridge
April 1884

TOWER GROVE PARK

— OF THE —

CITY OF ST. LOUIS.

REVIEW OF ITS ORIGIN AND HISTORY, PLAN OF IMPROVE-
MENT, ORNAMENTAL FEATURES, ETC.

WITH ILLUSTRATIONS.

PREPARED BY ORDER OF THE BOARD OF COMMISSIONERS.

BY DAVID H. MACADAM.

1883:
R. P. STUDLEY & CO., PRINTERS.
ST. LOUIS, MO.

RULES AND REGULATIONS.

In accordance with the authority conferred by the Act creating Tower Grove Park, the Board of Commissioners have adopted the following rules and regulations:

All persons are forbidden —

1. To enter or leave the park except by the gateways.
2. To climb the fences.
3. To turn cattle, horses, goats or swine into the park or the avenues surrounding the park.
4. To carry firearms or to throw stones or other missiles within it.
5. To cut, break, or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, bridges, or other constructions upon the park;
6. Or to converse with, or in any way hinder, those engaged on the work of the park.

7. A pound is hereby established within the Tower Grove Park for the impounding of horses, cattle, sheep, goats, dogs and swine found trespassing upon said park or the adjacent avenues. All such animals found at large may be taken by any person or persons and driven or carried to the pound, and may be kept enclosed therein during five days, at the end of which time, if not previously claimed, they may be sold at public auction; provided, that, within two days after they shall have been impounded, notice of the sale shall have been conspicuously posted in the pound or vicinity.

Any person claiming property in such impounded animals before the day of sale, may recover the same, after suitable proof of his or her right thereto, upon payment for each animal of the sum of two dollars and the expenses of keeping; the expenses of keeping to be reckoned as follows:

For each horse, dog, or head of neat stock, sixty cents per day;

For each goat, swine, or sheep, twenty-five cents per day.

These charges shall be paid to the chief park keeper of Tower Grove Park, and the money thus collected shall by him be handed over within one week to the comptroller of the board.

If within one month after the sale of any impounded animals their former owner shall appear and claim the same, the treasurer shall, after deducting the full amount of the charges provided for above, pay over to him the proceeds of their sale; otherwise the amount shall be added to the funds of the board.

8. No animal shall travel on any part of the Tower Grove Park, except upon the drive or carriage road, at a rate exceeding six miles per hour. Persons on horseback shall not travel on the drive or equestrian road at a rate exceeding seven miles per hour.

9. No vehicle or riding shall be permitted on the walks, the same being devoted exclusively to pedestrians; nor shall any vehicle, horse, or burden, go

upon any part of the park except upon the "drive," and upon such places as are appropriated for carriages at rest.

10. No animal or vehicle shall be permitted to stand upon the "drive" or carriage roads of the park, or any part thereof, to the obstruction of the way or to the inconvenience of travel, nor shall any person upon the park solicit or invite passengers.

11. No hackney coach, carriage, or other vehicle for hire, shall stand upon any part of the park for the purpose of taking in any other passengers or persons than those carried to the park by said coach, carriage, or vehicle, unless invited by the persons having said vehicle.

12. No person shall expose any article or thing for sale upon the park except previously licensed by the Board of Commissioners of Tower Grove Park, nor shall any hawking or peddling be allowed on the park.

13. No omnibus or express wagon, with or without passengers, nor any cart, dray, wagon, truck, or other vehicle carrying goods, merchandise, manure, soil or other article, or solely used for the carriage of goods, merchandise, manure, or other articles, shall be allowed to enter any part of Tower Grove Park, or any vehicle carrying more than six persons.

14. No threatening, abusive, insulting or indecent language shall be allowed on the park whereby a breach of the peace may be occasioned.

15. No person shall be allowed to tell fortunes or play at any game of chance at or with any table or instrument of gaming, nor to do any obscene or indecent act whatever in Tower Grove Park.

16. Tower Grove Park shall be open daily to the public during the months of December, January and February from seven o'clock in the morning until half an hour after sunset in the evening; during the months of March, April, May, June, October, and November, from six in the morning until half an hour after sunset, and during the months of July, August, and September, from five in the morning until half an hour after sunset in the evening.

17. The comptroller or superintendent may direct that the park or any of the entrances to the park be closed at any time, and may, on special occasions, also direct that the park or any portion thereof remain open at other times than those specified.

18. No person other than employees of the Board of Commissioners of Tower Grove Park shall enter or remain in the park except when it is open as above provided.

19. No person, except in the employ of the Board of Commissioners of the Tower Grove Park, shall bring upon the Tower Grove Park any tree, shrub, plant, or flower, nor any newly plucked branch or portion of a tree, shrub, plant, or flower.

20. No person shall fire, discharge or set off in Tower Grove Park any rocket, cracker, torpedo, squib, balloon, snake, chaser, or double-header, nor any fireworks or thing under any other name composed of the same or similar material, or of the same or similar character, as the fireworks above specified, except with consent of Board of Commissioners or comptroller.

21. No person shall place or propel any invalid chairs, perambulators,

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TOWER GROVE PARK.

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bicycles or velocipedes upon any portion of the Tower Grove Park except upon the walks.

22. No person shall post or otherwise affix any bill or notice, in paper or paint, upon any structure or thing within the park, nor upon any of the gates or surrounding avenues.

23. No person shall without the consent of the comptroller of the park play upon any musical instrument within Tower Grove Park, nor shall any person take into or carry or display in the park any flag, banner, target, or transparency.

24. No military or target company, or civic or other procession, shall be permitted to parade, drill or perform upon the park any military or other evolutions or movements without the written consent of the comptroller.

25. No fire-engine, hook or ladder, cart, hose, truck, or other machine on wheels commonly used for the extinguishing of fire, shall be allowed on any part of Tower Grove Park without the previous consent of the comptroller of the park.

26. No funeral procession or hearse, or other vehicle or person carrying the body of a deceased person, shall be allowed on any part of Tower Grove Park.

27. No person, except in the employ of the Board of Commissioners of Tower Grove Park, shall light, make or use any fire upon the Tower Grove Park.

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A DIGEST
OF THE
ACTS OF ASSEMBLY
RELATING TO,
AND THE
GENERAL ORDINANCES.
OF THE
CITY OF PITTSBURGH
From 1804 to Jan. 1, 1897,
WITH REFERENCES TO DECISIONS THEREON.

SECOND EDITION.

PREPARED UNDER RESOLUTION OF COUNCILS

BY

W. W. THOMSON

OF THE PITTSBURGH BAR.

PITTSBURGH, PA.:
W. T. NICHOLSON SONS, PRINTERS AND BINDERS.
1897.

BUREAU OF PARKS.

July 31, 1893, § 1. 1. There shall be and is hereby created a bureau to be known
 O. B. 9, 262. as the "bureau of parks," which bureau shall consist of one
 Bureau of parks superintendent whose compensation shall be two hundred dollars
 created. per month, one superintendent, whose compensation shall be
 Officers and one hundred and fifty dollars per month, and one assistant
 employees. superintendent whose compensation shall be one hundred
 and twenty-five dollars per month, one clerk whose compensation
 shall be eighty-three dollars and thirty-three cents per month,
 and such foremen and laborers as may be required from
 time to time, at the same pay as like labor in other departments
 of the city (*a*).

July 6, 1896. 2. WHEREAS, The control, maintenance, supervision and
 O. B. 11, 139. preservation of the public parks is by law vested in the depart-
 Preamble. ment of public works; and

WHEREAS, It is essential to proper exercise of these powers
 Preamble. that persons should be employed as watchmen in the public
 parks for the protection of the public property therein.

Ibid § 1. 3. *Be it ordained, &c.*, That the director of the department
 Watchmen com- of public works shall, and he is hereby authorized to employ
 pensation. such watchmen as may be necessary for the properly caring for,
 maintaining and protecting the public property in the public
 parks of this city at the daily compensation of two dollars and
 fifty cents each.

Ibid. § 2. 4. The compensation of such watchmen shall be paid out of
 appropriation No. 36, public parks.

July 27, 1893, § 1. 5. Upon the passage and approval of this ordinance the
 O. B. 9, 260. following rules and regulations shall be and are hereby established
 Rules adopted. for the management and protection of the parks and public
 grounds of the city of Pittsburgh, to wit:

First. No person shall injure, deface or destroy any notices,
 rules or regulations for the government of the parks, posted or
 in any other manner permanently fixed by order of the chief of
 department of public works.

Second. No person shall be allowed to turn any chickens,
 ducks, geese or other fowls, or any eattle, goats, swine, horses
 or other animals loose within the parks or to bring led horses
 or a horse that is not harnessed and attached to a vehicle or
 mounted by an equestrian.

Third. No person shall be allowed to carry firearms, or to
 shoot or throw stones at or to set snares for birds, rabbits,
 squirrels or fish, within the limits of the parks or within one
 hundred yards thereof.

Fourth. No person shall cut, break, pluck or in anywise
 injure or deface the trees, shrubs, plants, turf or any of the
 buildings, fences, structures or statuary, or place or throw any-
 thing whatever in any springs or streams within the parks, or
 fasten a horse to a tree, bush or shrub.

(*a*) As amended by ordinance of Nov. 23, 1893. O. B. 9, p. 320, and ordinance of March 31, 1896. O. B. 11, p. 49.

PUBLIC WORKS—PARKS.

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Fifth. No military or other parade or procession, or funeral shall take place in or pass through the limits of the parks without permission from the chief of department of public works. July 27, 1883.
Park rules.

Sixth. No one shall ride or drive therein except on the avenues or roads, or at a rate of speed exceeding eight miles per hour.

Seventh. No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the parks without previous permission of the chief of the department of public works, nor shall any gathering or meeting for political purposes in the park be permitted under any circumstances.

Eighth. No wagon or vehicle of burden or traffic shall pass through the park, except on such road or avenue as shall be designated by the chief of the department of public works for burden transportation.

Ninth. No coach or vehicle used for hire, shall stand upon any part of the parks for the purpose of hire, nor except in waiting for persons taken by it into the park, unless at points designated by the chief of the department of public works.

Tenth. No profane, indecent, abusive or insulting language, gambling or drunkenness shall be allowed within the parks, nor shall any one be allowed to introduce any spirituous liquors within the limits of the same, either for his own use or for sale.

Eleventh. No person shall climb any tree or attach any swing thereto, without the consent of the superintendent.

Twelfth. No picnic shall take place in the parks without a written permission for the purpose being obtained from the superintendent, in which shall be designated the spot where it shall be held, and parties holding picnics shall clean up the ground that has been occupied by them on quitting it, and not leave paper and other refuse on the ground.

Thirteenth. No person shall disturb any picnic in the parks, or intrude himself or herself on it without the consent of those composing it.

Fourteenth. No person shall stand, walk or sit on any fence, wall or embankment, or stand, slide, sit or roll upon any slope of the parks.

Fifteenth. No person shall set up any booth, table or stand for the sale of any article whatever, without the consent of the chief of the department of public works, previously obtained in writing.

Sixteenth. When carriages or equestrians meet, the parties respectively shall keep to the right as the law of the road.

Seventeenth. No person shall drive any vehicle displaying any placard or advertisement of any kind along any road or avenue in the parks, nor shall any person display any placards or advertisements of any kind, or post or fix any notice or bill or other writing or printing of any kind on any tree, lamp-post, hydrant, curbstone, coping, flagstone, fence, wall, building or other place within the parks.

Eighteenth. No benches or seats shall at any time be removed

July 27, 1893

or changed from their places in the parks, except by the order first obtained of the superintendent.

Nineteenth. Bicycles and tricycles shall be restricted to the use of the roadways, and be controlled by the same law which governs horses, vehicles and equestrians, and must pass to the right, when meeting the same or each other. When passing a carriage or equestrian from the rear to the front, it must be done to the left side and at a moderate rate of speed. Bicycles and tricycles must not travel more than two abreast.

Twentieth. All racing with horses, vehicles, tricycles and bicycles is prohibited at any time, and bicycles and tricycles must not be driven or propelled at greater speed than eight miles per hour.

Ibid. § 2.

Penalty.

6. Any violation of any of the foregoing rules shall subject the party so offending to a fine of twenty-five dollars, to be collected by summary process.

Aug. 28, 1871, § 1.
O. B. 3, 122.

Improvement
of part of Bluff
street as a park
authorized.

7. The citizens of the Sixth and Fourteenth wards of the city of Pittsburgh, residing in the vicinity of Bluff street, shall be and are hereby authorized to enclose with a good substantial fence a portion of Bluff street, from Gist to Magee street, as follows, viz: Commencing at Gist street thirty feet south of the northern curb line, and thence running by a line preserving the same width to Magee street, said fence to be constructed with openings at the street crossings, and at such other points as may be deemed proper openings for the convenient access of foot passengers. Said citizens shall be further authorized to lay off the grounds south of said fence to the line of said street with walks, and within said enclosure, and on the outside thereof, to plant trees and shrubbery, erect fountains and make other improvements thereon suitable for a public promenade: *Provided*, That no trees or other improvements shall be placed upon said street within a distance of twenty feet from the north curb line of said street.

Ibid. § 2.

City not liable
for expense.

8. Said improvements shall be made and maintained at the expense of the parties making the same, and the city shall not be liable for any expense contracted for or on account of the same.

Ibid. § 3.

City may grade
and pave.

9. Said city reserves the right to direct the grading and paving of said street at any time hereafter, without compensation for the improvement which may be made thereon as fully as if this ordinance had not been adopted.

Ibid. § 4.

10. Said improvements and the maintenance and care of the same shall be under the charge of such persons as may be selected by subscribers to the fund for making the same.

Ibid. § 5.

Penalty for in-
juring improve-
ments.

11. It shall be unlawful for any person to injure or destroy any fence, trees, shrubbery or other improvement upon said ground; and if any person shall wilfully injure or destroy the same, or any part thereof, he or she shall forfeit and pay the sum of ten dollars, in addition to a sum sufficient to repair or replace the damage, to be recovered by action in the name of the city of Pittsburgh, or by summary conviction before the mayor

PUBLIC WORKS—PARKS.

or any alderman of said city, and the sum so recovered shall be paid to the person having charge of said improvements, to be expended upon the same. Aug. 28, 1871.

12. The superintendent of the water works shall be authorized to direct a supply of water, free of charge, for not more than two fountains upon said ground at all reasonable times and to reasonable amounts, from the first day of April to the fifteenth day of October in each year: *Provided*, That said superintendent shall be authorized to prevent the unnecessary waste of water, and to prohibit its use during times of short supply. Ibid. § 6.
Supply of water for two fountains authorized.

13. WHEREAS, The public market-house on Second street is of no benefit to the city; Sept. 27, 1888,
O. B. 2, 125.

And whereas, The heirs and legal representatives of the estate of James O'Hara have, by deed dated the seventeenth day of May, one thousand eight hundred and twenty, and on the ninth of August, one thousand eight hundred and fifty-eight, consented that the ground dedicated by the late James O'Hara, on Second between Ross and Grant streets, may be used as a public square or area; therefore, Preamble.

14. *Be it ordained, &c.*, That all that portion of Second street extending from Grant to Ross street, and used for the purpose of a market house, be and the same is hereby devoted to the purpose of a public park, to be ornamented in such manner as shall be directed by the mayor of the city and members of councils for the time being of the Second ward, who are hereby authorized to adopt such rules for the same as may, in their judgment, be proper, and to keep the same posted on the gateposts thereof: *Provided*, The whole expense of removing the market-house and of constructing said public park and keeping the same in repair, shall be provided by voluntary subscription, and shall in no case be a charge on the city treasury. Ibid. § 1.
Second street market to be made a park.
Rules.
Proviso.

15. Any person that shall injure or destroy any tree, shrub or any other thing within said park, or the wall or fence that may surround it, shall, upon conviction before the mayor, be fined a sum not exceeding five dollars, in addition to the amount necessary to repair any injury so done, to be recovered as like penalties are by law recoverable. Ibid. § 2.
Penalty for injuries.

16. It shall be lawful to erect within the said area or park one or more fountains, to be supplied from the public water pipes without any charge for the use of the water. Ibid. § 3.
Fountains.

17. Before the work necessary for said improvement shall be commenced, the mayor and members of councils from the Second ward shall meet at the mayor's office and choose from among themselves one president, one secretary, and one treasurer, and shall proceed to agree upon a plan of the work, &c. Ibid. § 4.
—

18. For the purpose of constructing and maintaining a public park, there shall be and is hereby set aside, dedicated and appropriated so much of the ground belonging to said city as is not indispensably necessary for the safe and proper use of the reservoir known as the Herron Hill Reservoir. Sept. 14, 1889 § 1.
O. B. 7, 131.
Dedication of Herron Hill Park.

500

ORDINANCES—EXECUTIVE DEPARTMENTS.

Sept. 14, 1889, § 2.
Improvement.

19. The chief of the department of public works of said city be and he is hereby authorized and directed to improve all said ground lying around, adjacent to and connected with said reservoir, and which shall not be found actually necessary for the operation of said reservoir, to be used and enjoyed as a public park, to be known as and by the name of the "Herron Hill Park."

Sept. 16, 1889, § 1.
Dedication of
Highland Park.

20. For the purpose of constructing and maintaining a public park, there shall be and is hereby set aside, dedicated and appropriated so much of the ground belonging to said city as is not indispensably necessary for the safe and proper use of the reservoirs known as the Highland Reservoirs.

Ibid. § 2.
Improvements.

21. The chief of the department of public works of said city be and he is hereby authorized and directed to improve all said ground lying around, adjacent to and connected with said reservoirs or which may be added thereto, and which shall not be found actually necessary for the operation of said reservoirs, to be used and enjoyed as a public park, to be known as and by the name of "Highland Park."

BUREAU OF CITY PROPERTY.

Dec. 17, 1887, § 18.
O. B. 6, 227.

Bureau created.

Title of head.

Salary.

Duties.

Clerk.

1. There shall be and is hereby created a bureau to be known as the bureau of city property, the head of which shall be known as superintendent of city property, and who shall receive the sum of one hundred and fifty dollars per month as his compensation. The duties of this bureau shall be to take charge of all public property belonging to said city not otherwise conferred upon some other department, including markets, city buildings, wharves, and such other property of the city as is not specially conferred elsewhere: *Provided*, That the chief clerk of this bureau shall act as clerk of the Diamond markets without extra compensation.

Feb. 28 1890, § 1.
O. B. 7, 321.

Salary of clerk of
bureau of city
property.

2. From and after the date of the passage of this ordinance, the salary of the clerk to the bureau of city property (who also acts as clerk of markets) shall be and is hereby fixed at fifteen hundred dollars per annum, and the said clerk to the bureau of city property shall receive compensation for his services at the rate of fifteen hundred dollars per annum from and after the date of the approval or passage of this ordinance.

City Code, 234, § 1.

Penalty for in-
juring.

Proviso.

3. If any person shall destroy or injure in any way whatsoever any public property within this city, he shall forfeit and pay for every such offense a fine of not less than ten dollars and not exceeding fifty dollars, besides the amount of the costs and expenses of repairing the same: *Provided*, That when the injury is accidental no further fine shall be imposed than the amount of the cost and expense of repairing.

Ibid. § 2.

City officers to
report to con-
troller.

4. It shall be the duty of every city officer to report to the controller any damage or injury which may be done to any public property in his possession, that the same may be laid

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LAWS
—AND—
ORDINANCES,
FOR THE GOVERNMENT OF THE MUNICIPAL CORPORATION OF THE
CITY OF WILLIAMSPORT, PENNSYLVANIA,
IN FORCE APRIL 1st, 1891.



PUBLISHED BY AUTHORITY OF THE CITY COUNCILS.

IN FOUR PARTS.

WILLIAMSPORT, PA.:
PENNSYLVANIA GRIT BOOK AND JOB PRINTING HOUSE.
1891.

UNIVERSITY
REFORM CLUB,
Committee on
MUNICIPAL ADMINISTRATION.

AN ORDINANCE

Brandon Park *Prescribing the rules and regulations for the government and protection of Brandon Park, imposing penalties for the violation of the same, and closing part of Packer street.*

Regulations. SECTION 1. *Be it ordained by the select and common councils of the city of Williamsport, That the following rules and regulations be and are hereby established as the rules and regulations for the government and protection of Brandon Park, viz.:*

Driving. 1. No person shall drive or ride in Brandon Park at a rate exceeding seven miles an hour.

Upon roads. 2. No person shall ride or drive upon any part of the park, except on the avenues and roads.

Vehicles prohibited. 3. No vehicle of burden or traffic shall be permitted within said park, except when employed in the business of the park.

Regulating speed. 4. No bicycles, tricycles or other vehicles of a similar nature, shall be driven at a greater speed than seven miles per hour in the park.

Law of road. 5. When carriages, bicycles, tricycles or equestrians meet, the parties respectively shall keep to the right as the law of the road.

Entrance and exit. 6. No person shall enter or leave the park except by such gates or avenues as may be for such purposes arranged.

Led horses. 7. No person shall bring or lead a horse or horses within the limits of the park not harnessed and attached to a vehicle, or mounted by an equestrian.

Animals at large. 8. No person shall turn cattle, goats, swine, horses, dogs or other animals loose into the park.

Shrubbery. 9. No person shall cut, break or in anywise injure or deface the trees, shrubs, plants, flowers, fruit, turf, or any of the buildings, fences, bridges, structures or statuary, or foul any fountains or springs within the park, nor throw stones or rubbish of any kind into any lake or pond of the park, or bathe in the same.

Nuisances. 10. No person shall throw any dead animal or offensive matter or substance of any kind within the boundaries of the park.

Fish, etc. 11. No person shall disturb the fish or water fowl in the pool or pond, or birds in any part of the park, or annoy, strike, injure, maim or kill any animal kept by direction of the commissioners, either running at large or confined.

Trees. 12. No person shall attach a swing to, fasten a horse to, nor climb a tree in said park.

Bills and notices. 13. No person shall injure, deface or destroy any notices, rules or regulations for the government of the park posted or in any other manner permanently fixed by order or permission of the commissioners of the park, nor affix any bills or notices within the limits of the same.

Traffic prohibited. 14. No person shall expose any article for sale within the park.

ORDINANCES.

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15. No person shall have any musical or other entertain-^{Parades, etc., prohibited.}ment in the park, nor shall any parade or procession take place in or pass through the park, nor shall any picnic, gathering or public meeting of any kind be permitted therein without the previous permission of the commissioners.

16. No person shall engage in any play at base ball, ^{Games prohibited.}cricket, shinny, foot-ball, croquet, or at any other athletic games within the limits of the park, except on such grounds only as shall be specially designated for such purposes by the park commissioners.

17. No person shall introduce any spirituous, malt or ^{Liquors prohibited.}brewed liquors into said park, either for his own use, to sell, or to give away, nor shall any intoxicated person enter or remain in said park.

18. No person shall curse or swear or use threatening or ^{Swearing.}abusive language, or fight or throw stones, or behave in a riotous or disorderly manner in said park.

19. No person shall indulge in any insulting or indecent ^{Nuisances.}language, or commit a nuisance in the park.

20. No person shall engage in playing cards or gambling ^{Gambling.}in said park.

21. No person shall carry fire-arms, or shoot in the park, ^{Firearms.}or discharge any fire-works, or throw stones or missiles therein.

SEC. 2. Any person who shall violate any of said rules and ^{Penalty.}regulations shall be liable to a fine of not less than five dollars nor more than fifty dollars, to be recovered before any alderman of the city of Williamsport, with costs, together with judgment of imprisonment not exceeding thirty days, if the amount of said judgment and costs shall not be paid, which fines shall be paid into the city treasury for park purposes.

SEC. 3. Packer street, where it passes through the park, is ^{Street vacated.}hereby abandoned as a public highway and declared to be a part of the park, subject to the rules and regulations adopted for its government and protection.

APPROVED—June 18th, 1890.

F. H. KELLER,

Mayor.

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THE
REVISED ORDINANCE

OF THE
CITY OF ST. LOUIS,

TOGETHER WITH

THE CONSTITUTION OF THE UNITED STATES, CONSTITUTION
OF THE STATE OF MISSOURI, THE SCHEME FOR THE
SEPARATION OF THE GOVERNMENTS OF THE
CITY AND COUNTY OF ST. LOUIS, THE
CHARTER OF THE CITY, AND A
DIGEST OF THE LAWS AP-
PLICABLE TO THE
CITY.

M. J. SULLIVAN, REVISER.

ST. LOUIS:
TIMES PRINTING HOUSE, FIFTH AND CHESTNUT.

1881.
Y&W

9155

ARTICLE XI.

PROTECTION OF BIRDS.

SECTION

- 1. Disturbance of birds or nests prohibited.
- 2. Penalty for disturbing same.
- 3. Throwing stones, wood, &c., prohibited.

SECTION

- 4. Penalty for throwing same.
- 5. Protection of all birds, except hawks, &c., intended.
- 6. Duty of police.

SECTION 1. All persons are forbidden to molest, injure or disturb in any way, any small bird in the city of St. Louis, or the nest, young or brood of any small bird in said city.

Birds, or nests not to be disturbed. Ord. 8436, sec. 1.

SEC. 2. If any person shall willfully injure, molest, take or disturb in any way, any small bird in the city of St. Louis, or the nest, eggs, young or brood of any such small bird, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay to said city not less than five dollars for each bird so by him injured, molested, taken or disturbed, and not less than twenty dollars for each nest of eggs or brood of young of any such small bird in the city of St. Louis, so by him injured, molested taken or disturbed.

Penalty for disturbing birds or nests. Ibid. sec. 2.

SEC. 3. No person shall throw from his hand any fragment of stone, wood, metal or other missile capable of inflicting injury, in any street, alley, walk or park of the city of St. Louis, or use or have in his possession ready for use in any street, alley, walk or park of the city of St. Louis, any sling, cross bow and arrow, air gun or other contrivance for ejecting, discharging or throwing any fragment, bolt, arrow, pellet, or other missile of stone, metal, wood or other substance capable of inflicting injury or annoyance.

Throwing stones, wood, &c., prohibited. Ibid. sec. 3.

SEC. 4. If any person shall throw from his hand, in any alley, street, walk or park of the city of St. Louis, any missile of wood, stone, metal or other substance, or sub-

Penalty. Ibid. sec. 4.

stances capable of inflicting injury or annoyance, or use or have in his possession, ready for use in any street, alley, walk or park of the city of St. Louis, any sling, air gun, cross bow and arrow, or other contrivance for ejecting, discharging or throwing any missile, pellet, fragment or bolt of stone, metal, wood or other substance, or substances capable of causing injury or annoyance, he shall be deemed guilty of a misdemeanor, and on conviction thereof, be punished by a fine of not less than one nor more than twenty dollars for each offense.

All birds to be protected, except hawks, &c.
Ibid. sec. 5.

SEC. 5. The birds intended to be protected by this article shall be and are defined as all varieties of birds except hawks, vultures and owls.

Duty of police.
Ibid. sec. 6.

SEC. 6. It is made the special duty of the police force of the city of St. Louis, to enforce the provisions of this article, and arrest and bring to trial, all offenders against the same; and any member of the police force conniving at any breach of the foregoing provisions, by failing to arrest or report the offender, shall, on conviction thereof, be subject to a fine of not less than five dollars.

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WILMINGTON, DEL.
ATTORNEY-AT-LAW,

JAN 15 1894

THE CHARTER
WILMINGTON, DEL

OF THE

CITY OF WILMINGTON

AS AMENDED TO MAY 6TH, 1893;

Acts of the General Assembly

RELATING TO THE CITY,

INCLUDING THE SESSION OF 1893;

(being vol. 19. Laws of Del.)

—AND—

FINANCES, AND RULES AND REGULATIONS

Of Departments of the City Government,

AS AMENDED AND IN FORCE, SEPTEMBER 1ST, 1893;

—ALSO—

THE ORIGINAL BOROUGH CHARTER.

PUBLISHED BY ORDER OF THE COUNCIL.

WILMINGTON, DEL.:

DIAMOND PRINTING COMPANY,

1893.



PART VII.

RULES AND REGULATIONS

OF THE

BOARD OF PARK COMMISSIONERS.

RULES AND REGULATIONS OF THE BOARD OF
PARK COMMISSIONERS,

AS AMENDED AND IN FORCE SEPTEMBER 1ST, 1893.

1. No person shall ride or drive upon any other part of the Park than upon such roads as may be designated for such purposes. Penalty, \$5 00
2. No person shall be permitted to bring led horses within the limits of the Park, or to turn any horses, cattle, goats, swine, dogs, or other animals loose in the Park. Penalty, \$5 00
3. No person shall indulge in any threatening, abusive, insulting, or indecent language in the Park. Penalty, \$5 00
4. No person shall engage in gaming, or commit any obscene or indecent act in the Park. Penalty, \$10 00
5. No person shall go into bathe in any of the waters within the Park. Penalty, \$5 00
6. No person shall throw any dead animal or offensive matter or substance of any kind into the Brandywine, or into any spring, brook, or other water, or in any way foul any of the same, which may be within the boundaries of the Park. Penalty, \$5 00
7. No person shall carry fire-arms or shoot birds or other animals within the Park, or throw stones or other missiles therein. Penalty, \$5 00
8. No person shall disturb birds, or annoy, strike, injure or kill any animal, whether wild or domesticated, within the Park. Penalty, \$5 00
9. No person shall cut, break, or in anywise injure or deface any trees, shrubs, plants, turf or rocks, or any buildings, fences, bridges, or other structures within the Park. Penalty, \$10 00
10. No person shall injure, deface, or destroy any notices, rules or regulations for the government of the Park posted or in any other manner permanently fixed, by order or permission of the Board of Park Commissioners or their officers or employees. Penalty, \$10 00

Adopted October 12, 1887.

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A DIGEST

OF THE

LAWS AND ORDINANCES

FOR THE GOVERNMENT OF THE MUNICIPAL CORPORATION OF THE

CITY OF ^{713 / 10000030}READING, PENNSYLVANIA,

IN FORCE APRIL 1, 1897.



[PUBLISHED BY AUTHORITY OF THE CITY COUNCILS.]

COMPILED BY LOUIS RICHARDS.

READING, PA.:
EAGLE BOOK PRINT, 542 PENN STREET.
1897.

be and the same are hereby repealed so far as the same affects this ordinance. 9 March 1891.

7. From and after the passage of this resolution, it shall be the duty of the city clerk to send to the residences of all members of councils, previous to the meetings of councils, printed copies of the calendar and ordinances which are to receive consideration at each meeting. 30 Sept. 1885.
J. 1885-86, App.
379.
To furnish
calendars, etc.,
in advance of
meetings.

8. From and beginning with the first day of April, A. D. 1894, the compensation to be paid the assistant in city clerk's office shall be and is hereby fixed at eight hundred and forty dollars per annum, payable as the salaries of other officials are payable. 13 Mar. 1894 § 1.
J. 1893-94, App.
643.
Salary of assistant.

City Park.

I. PENN'S COMMON AND COMMON COMMISSIONERS.

- 1. Public commons dedicated to the public by the title of "Penn's Common."
- 2. City districted for the election of common commissioners. Qualifications of commissioners.
- 3. Commissioners to be elected by councils. First election. Succeeding elections. Minority vote. Term. Organization. Election to be valid if held within sixty days after first Monday of September.
- 4. Vacancies, how filled. Minority representation. Removal of commissioners. Oath.
- 5. Common to be under control of commissioners. Appropriations by councils.
- 6. Plan of improvements.
- 7. Powers of commissioners. To employ superintendent and laborers. To purchase materials. Estimates to be submitted to councils. When mayor to give casting vote. Creation of debts and obligations. Councils to make appropriations therefor. No contracts to be made unless in pursuance of appropriation.
- 8. Meetings. Rules and Regulations.
- 9. Employment of police.
- 10. Interpretation of former ordinance relative to districts for election of commissioners.
- 11. City clerk to be secretary of board. Salary.

- 12. Mineral Spring property transferred to common commissioners for park purposes. Proviso.
- 13. Occupancy by Mount Penn Gravity and City Passenger Railway Companies.
- 14. Commissioners empowered to acquire driveway to connect with Egelman property. Damages.
- 15. Right of way granted to Mount Penn Gravity Railroad Company.
- 16. Conditions.
- 17. Purpose.
- 18. Mode of payment of employees of park and water departments. Pay rolls to be certified by superintendent.
- 19. How warrants to be drawn and moneys disbursed.

II. PARK RULES AND REGULATIONS.

- 20. Limit of speed. Driving confined to roads. Vehicles of burden. Entrance and exit. Coaches for hire. Threatening language, etc. Gaming and obscenity. Firearms, etc. Disturbance of fish, birds or animals. Fireworks. Placards. Injury to trees, shrubbery, statuary, etc. Dead animals, etc. Animals at large. Impounding and disposition of estrays. Tearing down notices. Leading of horses. Fakirs. Musical entertainments, etc. Parades or funeral processions. Public meetings. Games of sport.
- 21. Penalty.

I. "Penn's Common" and Common Commissioners.

1. That the tract of land situated at the head of Penn street, in the city of Reading, commonly known as the "Public Commons," which in a recent suit by the city of Reading against the county of Berks, was adjudged and decreed by the Supreme Court of Pennsylvania to belong to the city of Reading, be laid out, improved and maintained forever as a public common for the health, benefit and enjoyment of the inhabitants of said city, and shall hereafter be known and designated by the name of "Penn's Common." 28 Sept. 1887 § 1.
J. 1887-88, App.
312.
Public commons dedicated to the public by the title of "Penn's Common."

2. The city of Reading is hereby divided into four districts for the election of common commissioners in manner following, to wit: That portion of the city lying east of Sixth street and south of Penn street shall compose one district; that portion of the city lying west of Sixth street and south of Penn street shall compose one district; that portion of the city lying west of Sixth street and north of Penn street shall compose one district; and that portion of the city lying east of Sixth street and north of Penn street shall compose one district,¹ which districts shall be numbered one, two, three and Id. § 2.
City districted for the election of common commissioners.

¹ See *infra* 10.

28 Sept. 1887.
Qualifications
of commis-
sioners.

Id. § 3.
Commissioners
to be elected by
councils.

First election.

Succeeding
elections.

Minority vote.

Term.

Organization.

Election to be
valid if held
within sixty
days after first
Monday of
September.

Id. § 4.
Vacancies, how
filled.

four, in the order in which they are herein described, and the common commissioners hereinafter provided for shall be chosen one from each of the aforesaid districts, of which they shall be qualified electors, respectively, at the time of their election.

3. Within twenty days after the passage of this ordinance the councils of the city of Reading shall meet in joint convention and elect four persons, one from each of the aforesaid districts, qualified electors of their respective districts, neither of whom shall be a member of the city councils, who shall be styled "common commissioners." Each member of councils at said first election shall vote for two commissioners, and the four persons having the highest number of votes shall be declared elected; one of said commissioners so elected being one of the two highest in the number of votes cast, and one of said commissioners so elected being one of the two lowest in the number of votes cast shall hold office for the period of four years, to be computed from the first Monday in September, A. D. 1887, and the other two so elected shall hold office for the period of two years, to be computed from the first Monday in September, A. D. 1887; the choice between the two highest and the two lowest at the first election for the term of office, held as aforesaid, shall be determined by lot, and thereafter every two years there shall be elected in joint convention of councils, on the first Monday of September, two common commissioners, qualified as aforesaid, each member of councils to vote for only one commissioner, who shall not be a member of councils, and the two persons receiving the highest number of votes shall be declared duly elected for the period of four years from the date of their election, and no compensation shall be received by said commissioners for their services. The said commissioners shall organize annually on the second Monday of September: *Provided*, That if at any time hereafter the councils of said city of Reading should fail or neglect to elect said commissioners on the day prescribed by this ordinance, it shall and may be lawful for such election to be held at any time within sixty days thereafter, the term of office of the commissioners so chosen to be computed from the day upon which such election should have been held.

4. Whenever a vacancy shall occur in said board of commissioners by death, resignation, removal from office, removal from the district for which he was elected, or otherwise, such vacancy shall be filled by the remaining members of the board of commissioners, and the person so chosen by them to fill said vacancy shall serve for the unexpired term of the commissioner whose place is vacated, in manner following, to wit: If the office vacated has been filled by a commissioner who at the time of his election had the highest or next to the highest number of votes in the joint convention of councils, then his colleague in said board, who was elected at the same time with him by the same vote, or higher, or next highest vote to him, shall fill the vacancy by nominating to his colleagues a person qualified as aforesaid, residing in the district vacated, and if said person shall be approved by his two colleagues, such person shall be declared duly elected for the unexpired term; if the office vacated has been filled by a commissioner who at the time of his

CITY PARK.

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election was one of those having had the lowest number of votes in joint convention of councils, then his colleague in said board, who was elected at the same time with him, by the same vote, or next vote to him, above or below, shall nominate a person, qualified as aforesaid, to his two colleagues to fill such vacancy, and if said person shall be approved by his two colleagues, he shall be declared duly elected for the unexpired term of office. In case two or more vacancies should occur, either among those elected by councils in joint convention or those elected by the board to fill vacancies, such vacancies shall be filled by the remaining members of the board, on the principle that when filled the board shall fairly represent both the majority and minority vote of the joint convention which originally elected them; and no member of the board of commissioners shall at any time during the term of office for which he has been elected, either by joint convention of councils or by the board of commissioners, be subject to removal from office, except by indictment for misdemeanor in office; and said commissioners shall be duly sworn or affirmed before entering upon the duties of their office to execute the same with fidelity.

28 Sept. 1897.

Minority representation.

Removal of commissioners.

Oath.

5. All the care and management of the said common and all the plans and expenditures for the improvement and maintenance of the same shall be under the control of said commissioners, subject to such appropriations as councils may from time to time make for the maintenance and improvement of the said common.

Id. § 5.

Common to be under control of commissioners.

Appropriations by councils.

6. The said board of commissioners shall, as soon as practicable, after their organization, submit to councils for approval a plan or draft of the contemplated improvements to said common.

Id. § 6.

Plan of improvements.

7. They shall have power to appoint a superintendent and employ such laborers and mechanics as they may deem necessary, whose compensation shall be fixed by councils; to purchase such material as may be requisite to govern, manage, lay out, plant and ornament the said common, and to maintain the same in good order and repair; and the said commissioners shall, whenever called upon by councils, make and submit to them full estimates of the costs, charges and expenses of any work or alterations which they may contemplate, and whenever the said board of commissioners shall be equally divided in the determination of any question which may arise in their board touching the management of the said common, the casting vote shall be given by the mayor of the city; but no common commissioner nor any person employed by or under them shall have power to create any debt or obligation to bind the said board of commissioners, or the city of Reading, except by the express authority of the said board at a meeting duly convened; and all debts, obligations or expenditures made in pursuance thereof shall be paid from the appropriations made by councils, by bills duly approved by the said commissioners and in the manner in which bills of other departments of the city are paid: *Provided*, That no contracts shall be made or expenses incurred for the improvement or maintenance of said common unless an appropriation therefor shall have first been made by councils.

Id. § 7.

Powers of commissioners.

To employ superintendent and laborers.

To purchase materials.

Estimates to be submitted to councils.

When mayor to give casting vote.

Creation of debts and obligations.

Councils to make appropriations therefor.

No contracts to be made unless in pursuance of appropriation.

28 Sept. 1897 § 6.
Meetings.

Rules and reg-
ulations.

Id. § 9.
Employment
of police.

15 Oct. 1891 § 1.
J. 1891-92, App.
392.

Interpretation
of former ordi-
nance relative
to districts for
election of
commissioners.

20 Nov. 1887 § 1.
J. 1887-88, App.
328.

City clerk to be
secretary of
board.
Salary.

20 Mar. 1893 § 1.
J. 1892-93, App.
460.

Mineral Spring
property trans-
ferred to com-
missioners for
park purposes.

Proviso.

Id. § 2.
Occupancy by
Mount Penn
Gravity and
City Passenger
Railway Com-
panies.

2 Apr. 1896 § 1.
J. 1896-96, App.
636.

Commissioners
empowered to
acquire drive-
way to connect
with Egelman
property.

Damages.

8. The said commissioners shall hold regular meetings at such times as they may fix, and shall make and enforce such rules and regulations as they may deem necessary for the good government of the said common, which shall be submitted to councils for approval.

9. The said commissioners shall employ a police force adequate to maintain good order therein, whose compensation shall be fixed by councils, who shall at all times be subject to the orders of the said commissioners.

10. That Section 2 of an ordinance entitled "An ordinance establishing a public common, prescribing the mode of electing common commissioners and defining their powers," approved September 28th, 1887, be and the same is hereby interpreted to mean that Penn street shall be continued in a straight line east to the eastern city line, thereby making the districts for the election of common commissioners as follows, viz.: District No. 1. All that portion of the city lying east of Sixth street and south of Penn street, as herein interpreted. District No. 2. All that portion of the city lying south of Penn street and west of Sixth street. District No. 3. All that portion of the city lying west of Sixth street and north of Penn street, and District No. 4, all that portion of the city lying east of Sixth street and north of Penn street, as herein interpreted.

11. The city clerk shall be secretary of the board of common commissioners, and shall receive as a compensation for such service the sum of twenty dollars per month, beginning November 15, 1887.

12. That the tract or tracts of land known as the "Mineral Springs property," owned by the city and under the control of the water department, be and is hereby transferred to the board of common commissioners, to be used and improved as a public park, in such manner as the said common commissioners or councils shall in the future determine: *Provided, however,* That the funds necessary for repairing and maintenance of said property be taken from the department of water.

13. The said common commissioners shall exercise the same powers and authority pertaining to the occupancy of part of said land by the Mount Penn Gravity and City Passenger Railway Companies, as has been by ordinance conferred upon the water board when the privileges were granted to said companies: *Provided,* That if any part of the said land be at any time wanted for water purposes it shall be at the service of the board of water commissioners.

14. The common commissioners are hereby empowered to purchase, acquire, enter upon, take, use and appropriate, for the purpose of making, enlarging, extending and maintaining the public park, so much property as in their judgment may be needed to secure the necessary right of way and adjacent lands thereto, to connect Penn's Common with the tract of land owned by the city at Egelman dam, and in the exercise of the power herein granted they are hereby authorized to purchase or take such proceedings for ascertaining damages and assessing the benefits incident thereto, as shall be in accordance with the

CITY PARK.

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law authorizing cities of this commonwealth to acquire by purchase, or otherwise, private property for public park purposes.¹

15. That the Mount Penn Gravity Railroad Company be and is hereby granted the right to occupy a portion of the northeast section of Penn's Common with their railroad and station appurtenances, and also the right to cross the Mineral Spring property of the city of Reading with their railroad track.

16. That the right to occupy Penn's Common is granted subject to the control and management of the common commissioners, and the right to cross the Mineral Spring property is granted subject to the control and management of the water commissioners.

17. That the rights herein are granted to the said railroad company for the purpose of constructing, maintaining and operating a gravity railroad, and shall continue during the corporate existence of the said company.

18. The employees of the water and park departments shall and are hereby directed to be paid semi-monthly, by pay roll, to be approved by the proper departments or committees; said pay roll to contain name of person, kind and time of service, rate per day, amount due, and a receipt to be signed by the person receiving the amount set opposite his name, and shall be prepared and certified by the superintendent of each of said departments to the city clerk and city controller.

19. Upon presentation to the city clerk of pay rolls properly certified and approved as beforementioned, the city clerk shall and he is hereby directed to draw warrants as follows: * * *

* * * For the park department, "to the order of the superintendent."

Said officials to dispose of the money in the manner indicated on the pay roll, and to be responsible for the proper disbursement of the same.²

II. Park Rules and Regulations.

20. That the following rules and regulations be and are hereby established as the rules and regulations for the government and protection of Penn's Common, viz.:

(1) No person shall drive or ride in Penn's Common at a rate exceeding seven miles an hour.

(2) No one shall ride or drive therein, upon any part of the common, than upon the avenues and roads.

(3) No vehicle of burden or traffic shall pass through the common.

(4) No person shall enter or leave the common except by such gates or avenues as may be for such purposes arranged.

(5) No coach or vehicle used for hire shall stand upon any part of the common for the purposes of hire.

(6) No person shall indulge in any threatening, abusive, insulting or indecent language in the common.

¹ See the ordinance of October 1, 1889 (Jour. 1889-90, App. 294), forever exempting from being paved a triangular piece of ground at the intersection of Centre Avenue, Third and Windsor Streets, 108 feet on Third and 51 feet on Windsor Street, deeded by the owners to citizens of the vicinity for conversion into a park: "Provided, That it be sodded and laid out with walks of

proper width, and that it be improved and beautified and kept as a park."

² By the resolution of May 14, 1889, the common commissioners were requested to see that all persons employed at the park are residents and taxpayers of the city, and to give such as are willing to earn off their taxes preference when they apply for work. Jour. 1889-90, App. 333.

30 Dec. 1887.
Gaming and
obscenity.
Firearms, etc.

(7) No person shall engage in any gaming, nor commit any obscene or indecent act in the common.

(8) No person shall carry firearms, or shoot in the common, or within fifty yards thereof, or throw stones or other missiles therein.

Disturbance of
fish, birds or
animals.

(9) No person shall disturb the fish or water fowl in the pool or pond, or birds in any part of the common, or annoy, strike, injure, maim or kill any animal kept by direction of the commissioners, either running at large or confined in a close, nor discharge any fireworks, nor affix any bills or notices therein.

Fireworks.
Placards.

Injury to trees,
shrubby,
statuary, etc.

(10) No person shall cut, break, or in any wise injure or deface the trees, shrubs, plants, turf or any of the buildings, fences, bridges, structures or statuary, or foul any fountains or springs within the common.

Dead animals,
etc.

(11) No person shall throw any dead animal or offensive matter or substance of any kind within the boundaries of Penn's Common.

Animals at
large.

(12) No person shall turn cattle, goats, swine, horses, dogs or other animals loose into the common. Nor shall they be permitted in or around the common, unless accompanied by the owner; and whether accompanied by the owner or not, if any of said animals are found running at large in and about the said common, it shall be lawful for, and the park watchman or any of his assistants shall have full power and authority to impound them, or any of them, and if the said animals or any of them are not called for by their respective owners within forty-eight hours after the impounding of the same, it shall be lawful for the city authorities to sell and dispose of the said animals or kill the same.¹

Impounding
and disposition
of estrays.

Tearing down
notices.

(13) No person shall injure, deface or destroy any notices, rules or regulations for the government of the common, posted or in any other manner permanently fixed by order or permission of the commissioners of Penn's Common, within the limits of the same.

Leading of
horses.

(14) No person shall be permitted to bring or lead horses within the limits of Penn's Common, or a horse that is not harnessed and attached to a vehicle, or mounted by an equestrian.

Fakirs.

(15) No person shall expose any article for sale within the common, without the previous license of the commissioners.

Musical enter-
tainments, etc.
Parades or fu-
neral proces-
sions.

(16) No person shall have any musical, theatrical or other entertainment therein, nor shall any military or other parade or procession, or funeral, take place in or pass through the limits of the common, without the license of the common commissioners.

Public meet-
ings.

(17) No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the common without the previous permission of the commissioners.

Games of
sport.

(18) No person shall engage in any play at base ball, cricket, shinney, foot ball, croquet, or at any other games with ball and bat, nor shall [any] foot race or horse race be permitted within the limits of the common, except on such grounds only as shall be specially designated for such purpose.

¹ This rule amended as above by ordinance of June 26, 1895, Jour. 1895-96, App. 549.

CITY PARK—CLERKS OF COUNCILS.

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21. Any person who shall violate any of said rules and regulations shall be guilty of a misdemeanor, and for each and every such offence shall pay the sum of five dollars, to be recovered before any alderman of the city of Reading, with costs, together with judgment of imprisonment not exceeding thirty days, if the amount of said judgment and costs shall not be paid, which fines shall be paid into the city treasury for common purposes.¹

¹ These rules are supplemented by a series of additional regulations adopted by the board of park commissioners, June 14, 1895, prescribing the

duties of the superintendent, gardener and park police.

Clerks of Councils.

1. Election of clerk of select council.
2. Term.
3. Duties.

4. Salary.
5. Repeal.
6. Duties of clerk of common council.

1. That the office of clerk of select council be and the same is hereby established. Said clerk of select council to be elected on the day fixed for the organization of council, or as soon thereafter as practicable; a majority of the votes cast shall be necessary for an election.

² Mar. 1891 § 1.
J. 1890-91, App.
352.

Election of
clerk of select
council.

2. The term of office of the said clerk shall be one year, or until his successor shall have been duly elected and qualified.

Id. § 2.
Term.

3. That it shall be the duty of the said clerk to keep a regular and accurate journal of the acts and proceedings of the said branch and prepare the same for printing, together with a calendar of unfinished business at each stated meeting; he shall also act as clerk of councils in joint convention.

Id. § 3.
Duties.

4. That the salary of the clerk of select council shall be three hundred dollars per annum, payable as the salaries of other city officials are payable.¹

Id. § 4.
Salary.

5. That the ordinance, entitled "An ordinance defining the duties and fixing the bond and salary of the clerk of select council," approved by the mayor December 24th, 1875, and any other ordinance or ordinances, or part of ordinance or ordinances conflicting with the provisions of this ordinance, be and the same are hereby repealed so far as the same affects this ordinance.

Id. § 5.
Repeal.

6. It shall be the duty of the clerk of the common council to keep a regular and accurate journal of the proceedings of said branch and prepare the same for printing, together with a calendar of unfinished business at each stated meeting.²

³¹ Dec. 1875 § 1.
J. 1875-76, App.
247.

Duties of clerk
of common
council.

¹ By Section 4 of the act of March 21, 1865, creating the Reading Water Board (*ante*, p. 136), the clerk of select council is *ex-officio* secretary of that body. His annual salary in that capacity is three hundred and sixty dollars.

² The annual salary of the clerk of common council remains at two hundred and fifty dollars, as fixed by the salary ordinance of February 17, 1877, (Jour. 1876-77, App. 183), those of all other officers therein named having been changed by subsequent legislation.

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REVISED ORDINANCES

— OF THE —

CITY OF BOULDER

Published by Authority of the City.

OSCAR F. A. GREENE,
COMPILER.

1899:
Printed by Ricketts & Kerr, at The News Office,
BOULDER, COLORADO.

MAR 11 1909

thirty-two in township one north of range seventy west, is hereby named and shall hereafter be known as VALVERDAN PARK.

510. Washington Park.

SEC. 5. That the city property in the west half of the south-west quarter of section twenty-five in township one north of range seventy-one west, shall be named and hereafter known as WASHINGTON PARK.

PARKS.

An Ordinance for the Protection of the Several Parks Belonging to the City and of the Buildings and Reservoirs and Trees and Other Improvements at and Within Said Parks, and to Provide Penalties for Injuring the Same.

Passed October 4, 1898.

(With amendment as noted.)

511. No firearms or shooting in.

SECTION 1. Any person other than the police officers of the city who shall take or carry or cause to be taken or carried into any of the parks belonging to the City of Boulder, any gun, pistol, revolver, or other firearm, or who shall shoot any firearm at or towards or over or into or upon any of said parks, shall be deemed guilty of a misdemeanor. (As amended August 2, 1899.)

512. No powder or explosives in.

SEC. 2. Any person who shall take or carry or cause to be taken or carried into any of said parks, any powder of any quality or kind or any explosive or dangerous or inflammable or combustible substance, shall be deemed guilty of a misdemeanor.

513. No fires or explosives.

SEC. 3. Any person who shall start any fire or cause or permit to be started any fire in any of said parks, not

being thereunto first authorized by the Mayor, or who shall in any of said parks fire or explode any fire-crackers, torpedoes, or any other substance or thing containing powder or other explosive substance, shall be deemed guilty of a misdemeanor.

514. Injury to property.

SEC. 4. Any person who shall deface, tear down, destroy or injure in any manner whatsoever any fence, building, furniture, seat, structure, excavation, post, bracket, lamp, awning, fire plug, hydrant, water pipe, tree, shrub, plant, flower, railing, bridge, culvert, or any other property whatsoever belonging to the city or to any private corporation or persons in, at or upon any of said parks, shall be deemed guilty of a misdemeanor.

515. Injury continued.

SEC. 5. Any person who shall injure or damage in any manner whatsoever any property of the city at, in or upon any of said parks by cutting, hacking, bending, breaking, burning, daubing with paint or other substances, hitching of horses or other animals, or by means of fire, or by effecting such acts in any other manner, shall be deemed guilty of a misdemeanor.

516. Violation—Misdemeanor Penalty.

SEC. 6. Any person upon conviction of any misdemeanor specified in any of the five preceding sections herein shall be fined not less than five and not more than three hundred dollars.

PARKS.

An Ordinance in Relation to Cottages in Texado Park.

Passed April 17th, 1899.

WHEREAS, a contract was made on, to-wit, the 19th day of March, A. D. 1898, at Boulder, Colorado, by and

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CITY OF TRENTON,
NEW JERSEY.

CHARTER AND ORDINANCES;

ALSO CERTAIN

ACTS OF THE LEGISLATURE RELATING
TO MUNICIPAL DEPARTMENTS,

AND

A TABLE OF CASES CITED IN THE FOOT NOTES.

Revised, Compiled and Published
BY ORDER OF THE COMMON COUNCIL.

TRENTON, N. J.:
THE JOHN L. MURPHY PUBLISHING CO., PRINTERS.
1903.

to the amount to be raised by taxes in said city; and said portion of the principal so raised shall be paid yearly to the sinking fund commission of the city of Trenton, to be used exclusively for the liquidation of said bonds; *provided, however*, that whenever the amount of moneys in the hands of said commission shall be sufficient for the redemption of said bonds, no further sums shall be raised by taxation.

When to take effect.

9. That this ordinance shall take effect immediately.

An Ordinance providing for the government and protection of public parks and squares of the city of Trenton.

Vol. 6, p. 181.

Approved June 26th, 1890.

The Inhabitants of the City of Trenton do ordain:

Rate of speed for driving or riding.

1. No one shall drive or ride in Cadwalader park at a rate exceeding seven miles an hour.

Driving, where allowed.

2. No one shall ride or drive in or upon any of the public squares of this city or upon any other part of said park than upon its avenues and roads.

What vehicles not allowed in park.

3. No vehicle of burden or traffic shall pass through said park.

How persons shall enter.

4. No person shall enter or leave said park or squares except by such gates or avenues as may be for such purpose arranged.

Wagons not to stand in park for hire.

5. No coach or vehicle used for hire shall stand upon any part of said park for the purpose of hire.

No threatening language to be used.

6. No person shall indulge in any threatening, abusive, insulting or indecent language in said park or squares.

No obscene act to be permitted.

7. No person shall engage in any gaming nor commit any obscene or indecent act in the said park or squares.

No person to carry firearms.

8. No person shall carry firearms or shoot birds in said park or squares, or within fifty yards thereof, or throw stones or other missiles therein.

No person to annoy any of the animals.

9. No person shall disturb the fish or water fowl in the pools, ponds or other waters, or birds in any part of said park or squares, or annoy, strike, injure, maim or kill any animal kept by direction of common council or the park committee thereof, either running at large or confined in a close, nor discharge any fireworks nor affix any bills therein.

Not to deface trees or buildings.

10. No person shall cut, break or in anywise injure or deface the trees, shrubs, plants, turf, or any of the

SPECIAL ORDINANCES.—PARKS.

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outbuildings, fences, bridges, structures or statuary, or foul any fountains or springs within said park or squares.

11. No person shall throw any dead animal or offensive matter or substance of any kind into any pool, pond or other waters within the boundaries of said park or squares.

Not to throw any offensive matter in water.

12. No person shall go into bathe within said park.

Bathing prohibited.

13. No person shall turn cattle, goats, swine, horses, dogs or other animals loose in said park or squares.

No animals to go loose in park.

14. No person shall injure, deface or destroy any notices, rules or regulations for the government of the said park or squares, posted or in any other way permanently fixed by order or permission of the common council or the park committtee thereof, within the limits of the same.

Notices not to be defaced.

15. That for each and every violation of any of the foregoing provisions of this ordinance the person or persons so violating shall forfeit and pay a fine of ten dollars, to be enforced and collected according to law.

Penalty.

An Ordinance to name the Five Points "Monument Park."

The Inhabitants of the City of Trenton do ordain:

1. That, the locality commonly known as the Five Points, being that portion of the city bounded and described by Pennington avenue on the north, Broad street on the east, the southerly line of the lands recently purchased by the city of Trenton for a public park, by an ordinance passed common council February twenty-first, one thousand eight hundred and ninety-three, entitled "An ordinance to authorize the purchase of lands for the purposes of a public park," on the south, and the line of North Warren street, on the west, shall be hereby designated and known as "Monument Park."

Ordinance of June 28th, 1898, Sec. 1, Vol. 6, p. 411.

2. That all ordinances or parts of ordinances inconsistent herewith, be and the same are hereby repealed.

Ib., 22.

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**Chicago School of Civics
and Philanthropy.**

AMENDMENTS TO

**“The Revised Municipal Code of Chicago
of 1905”**


(PASSED MARCH 20, 1905)

AND

New General Ordinances

**Passed by the City Council of the City of Chicago
Between March 20, 1905, and
December 31, 1906**

**Compiled and Arranged by
EDWARD J. PADDEN
Chief Clerk**



PRINTED BY ORDER OF THE CITY COUNCIL

**ADRIAN C. ANSON
City Clerk
Chicago, Illinois**

DECEMBER, 1906



Ground or Bathing Beach of the City is enclosed, no person shall enter or leave the same except by the gateways. No person shall climb or walk upon the walls or fences thereof. Any of the entrances to such Parks, Public Play Grounds or Bathing Beaches of the city may be closed at any time by the direction of the officer or employee in charge of same.

1561. Animals Prohibited].—No person shall turn or lead any cattle, horses, goat, swine or other animals into any of such Parks, Public Play Grounds or Bathing Beaches.

1562. Firearms—Missiles].—All persons are forbidden to carry firearms or to throw stones or other missiles within any of the Parks, Public Play Grounds or Bathing Beaches of the City, and all persons are forbidden to cut, break or in any way injure or deface trees, shrubs, plants, turf or any of the buildings, fences, bridges or other construction or property contained therein.

1563. Peddling and Hawking Prohibited].—No person shall expose any article or thing for sale within any such Parks, Public Play Grounds or Bathing Beaches, nor shall any hawking or peddling be allowed therein.

1564. Indecent Words—Fortune Telling].—No threatening, abusive, insulting or indecent language shall be allowed in any part of such Parks, Public Play Grounds or Bathing Beaches; nor shall any conduct be permitted whereby a breach of the peace may be occasioned; nor shall any person tell fortunes or play any game of chance at or with any table or instrument of gaming, nor shall any person commit any obscene or indecent act therein.

1565. Bill Posting Prohibited].—No person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within any such Park, Public Play Ground or Bathing Beach belonging to the city, nor upon any of the gates or inclosures thereof.

1566. Prohibited Uses].—No person shall play upon any musical instrument, nor shall any person take into, or carry or display in any Park, Public Play Ground or Bathing Beach, any flag, banner, target or transparency, nor shall any military company parade, drill, or perform therein, any military or other evolutions or movements, without a special permit from the Special Park Commission.

1567. Bonfires].—No person shall light, make or use any bonfire in any such Park, Public Play Ground or Bathing Beach.

1568. Grass].—No person shall go upon the grass, lawn or turf

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H. F. No. 794.

CHAPTER 344.

Game
and fish.

An act for the preservation, propagation, protection, taking, use and transportation of game and fish, and certain harmless birds and animals.

GENERAL PROVISIONS.

Be it enacted by the Legislature of the State of Minnesota :

Term of
present com.

SECTION 1. Game and Fish Commission—Appointment—Terms—A state game and fish commission is hereby created, consisting of five (5) members to be appointed by the governor for a term of four (4) years each. Those heretofore appointed pursuant to chapter three hundred thirty-six (336) of the laws of 1903 shall continue in office until the expiration of their respective terms. Vacancies arising from any cause shall be filled by the governor. Members shall serve without compensation except for necessary expenses to be paid upon an itemized statement thereof duly audited by said commission.

SEC. 2. Office—Said commission shall have an office in the capitol and be supplied with suitable stationery, a seal and blanks and postage for the transaction of its business.

SEC. 3. General Powers—Duties—Said commission shall enforce the laws of this state involving the protection and propagation of all game animals, game birds, fish and harmless birds and animals.

Said commission shall have general charge of—

Propagation
and pro-
tection.

1. The propagation and preservation of such varieties of game and fish as it shall deem to be of public value.

Statistics.

2. The collection and diffusion of such statistics and information as shall be germane to the purpose of this act.

Fish
hatcheries.

3. The construction, control and management of all state fish hatcheries, including the control of grounds owned or leased for such purposes.

Spawn or
fry from
U. S. com.
of fisheries
and others.

4. The receiving from the United States commissioner of fisheries or other person, and the gathering, purchase and distribution to the waters of this state, of all fish spawn or fry.

Stocking
of waters.

5. The taking of fish from the public waters of the state for the propagation and stocking of other waters therein.

6. The seizure and disposition of all game birds, game animals and fish, either taken, killed, transported or possessed contrary to law, of all dogs, guns, seines, nets, boats, light, or other instrumentalities unlawfully used or held with intent to use, in pursuing, taking, attempting to take, concealing or disposing of the same.

Seizure and disposition.

SEC. 4. Reports—Records—Said commission shall on or before December 1st of each year, submit to the governor a detailed report of its actions, including the amount of money received from all sources, an inventory of all game, fish, guns, dogs, seines, nets and other property seized and sold, with the names of the purchasers, and the amount received, and an itemized statement of its disbursements. The books and vouchers of said commission shall be subject to examination by the public examiner at all times.

Report to governor annually before Dec. 1.

Subject to examination by public examiner.

SEC. 5. Executive Agent—The commission shall appoint one of its members its executive agent, who shall devote all his time to the discharge of his duties, and shall receive compensation therefor to be fixed by the said commission, not exceeding two thousand (\$2,000) dollars per year. He shall act as such executive agent during the pleasure of the commission and be subject to its direction. When the commission is not in session, he is hereby authorized to exercise in its name, all the rights, powers and authority vested in said commission. Before entering upon the discharge of his duties he shall give a bond to the State of Minnesota, with sureties or security to be approved by the commission, in the penal sum of five thousand dollars (\$5,000), conditioned for the faithful accounting of all state property coming into his hands.

Appointment of executive agent, salary, duties, etc.

Bond.

SEC. 6. Employees—The commission may appoint and remove at pleasure, a superintendent of fisheries, at a salary not exceeding three thousand dollars (\$3,000) a year, and such assistants as may be necessary. It may also employ a sufficient number of game wardens, other persons, and office assistants, as may be necessary to carry out the purposes of this chapter, and fix their periods of service and compensation.

Supt. of fisheries, game wardens and office force.

SEC. 7. Other Officials—Attorney—The county attorneys, sheriffs, constables and other peace officers, are hereby required, and it is made their duty, to enforce the provisions of this chapter and the commission may employ an attorney or attorneys to perform such legal services as said commission may require. He shall appear

Duties of Co. Attorney and others.

for said commission in all civil actions in which it or its wardens may be interested officially, and may assist the county attorney in the prosecution of criminal actions arising under this chapter, and when for any reason the county attorney does not prosecute such criminal actions, he may conduct such prosecutions on behalf of the state with the same authority as the county attorney. The compensation to be paid said attorney shall be fixed by the commission and paid out of the funds provided for the enforcement of this act.

Who may
serve.

SEC. 8. Execution of Writs.—The executive agent of said commission, all members and all wardens appointed by said commission, shall have full power and authority to serve and execute all warrants and process of law issued by the court in enforcing the provisions of this act, or any other law of this state relating to the preservation and protection of game and fish, in the same manner as any constable or sheriff may serve and execute the same and for the purpose of enforcing the provisions of this chapter, they may call to their aid any sheriff, deputy sheriff, constable or police officer, or any other person, and it shall be the duty of all sheriffs, deputy sheriffs, constables or police officers and other persons, when called upon, to enforce and aid in enforcing the provisions of this chapter.

SEC. 9. Bonds.—The following appointees shall give bonds to be approved by the commission and filed in the office of the secretary of state, conditioned for the faithful discharge of their respective duties, in the following amounts:

Amount.

First—Superintendent of fisheries, one thousand dollars (\$1,000).

Second—Each game warden five hundred dollars (\$500).

Meaning of
words; sell,
sale, person,
possession,
etc., de-
fined.

SEC. 10. Terms Defined.—Agency no excuse. The words “sell” and “sale” as used in this chapter shall be construed as meaning any sale of (or) offer to sell or having in possession with intent to sell, use or dispose of the same contrary to law. The word “person” shall be deemed to include partnerships, associations, and corporations, and no violation of any provisions of this chapter shall be excused for the reason that the prohibited act was done as the agent or employe of another, nor that it was committed by or through an agent or employe of the person charged. The word “possession” shall be deemed

to include both actual and constructive possession as well as the control of the article referred to. The terms "waters of this state" shall be held to include all the boundary waters of the state, and the provisions of this chapter shall be deemed to extend and be in force and effect over, upon and in all thereof. The terms "any part thereof" or "the parts thereof," whenever used in this chapter shall be deemed to include the hides, horns and hoofs of any animal so referred to, and the plumage and skin and every other part of any bird so referred to. The terms "fur bearing animals" shall not be deemed to include deer, moose or caribou.

SEC. 11. Inspection of Hotels, Etc.—The game and fish commission and all game wardens shall inspect from time to time hotels, restaurants, cold storage houses or plants and ice houses commonly used in storing meats, game or fish for private parties, including all buildings used for a like purpose, for the purpose of determining whether game or fish are kept therein in violation of the provisions of this chapter. Any person, in possession or control, or in charge of any hotel, restaurant, storage plant or building referred to, or any part thereof, who refuses or fails to permit any member of the game and fish commission or any warden appointed by said commission to enter any such building or any part thereof, or any receptacle therein; for the purpose of making such inspection, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) or over one hundred (100) dollars, including costs of prosecution, or imprisonment in the county jail for a term of not less than thirty (30) or over ninety (90) days for the first offense, and upon conviction for a second offense shall be punished by imprisonment in the county jail for a period of not less than sixty (60) or over ninety (90) days.

Power to enter hotels, etc., to determine whether law is violated, given commission and its agents.

Inspection refused or hindered, penalty.

SEC. 12. Contraband Game, Seizure and Search—Any bird, animal, fish or any part thereof, caught, killed, shipped or had in possession or under control contrary to any of the provisions of this chapter, is hereby declared to be contraband.

The game and fish commission, all game wardens, sheriffs and their deputies, constables and police officers, shall seize and take possession of any and all birds, animals, or fish or any part thereof which have been caught, taken, killed or had in possession or under control or

Probable
cause suf-
ficient for
court to
issue such
warrant.

shipped contrary to any of the provisions of this chapter. Any court having jurisdiction may upon complaint showing probable cause for believing that any bird, animal, fish or any part thereof caught, taken, killed or had in possession or under control by any person, or shipped or transported contrary to the provisions of this chapter, is concealed or illegally kept in any building, car or receptacle, shall issue a search warrant and cause a search to be made in any such place for any such birds, animals, fish or any part thereof, and may cause any building, inclosure or car to be entered, and any apartment, chest, box, locker, crate, basket, package, or any other receptacle whatever to be broken, opened and the contents thereof examined. All such officers taking or seizing any such birds, animals or fish, or any part thereof, shall at once report all the facts attending the same to the commission.

Declared a
public
nuisance.
Command
to seize
and destroy
without
warrant.

SEC. 13. Contraband Devices—All nets, seines, lanterns, snares, devices, contrivances and materials, while in use, or had, or maintained, for the purpose of catching, taking or killing, or attracting or deceiving any bird, animal, or fish contrary to any provision of this chapter, within this state or upon or in the boundary waters thereof, including fish houses, inclosures or other sheltering structures or appliances erected or maintained upon the ice or in any water, or on the shore of any lake, pond or stream, is hereby declared to be and is a public nuisance. The commission, all game wardens, sheriffs and their deputies, constables and police officers shall without warrant or process, take, seize, abate and destroy any and all of the same while being used, had or maintained for such purpose and no liability shall be incurred therefor to any person.

Participant's
testimony
not incrim-
inating.

SEC. 14. Witnesses—In any prosecution under the provisions of this chapter, a participant in the violation thereof may testify as a witness against any other persons violating the same, without incriminating himself, any criminal proceeding for such violation.

Prosecutions
must be
made within
2 years.

SEC. 15. Limitations—All prosecutions under this chapter shall be commenced within two years (2) from the time the offense was committed.

For breeding
and scientific
purposes.

SEC. 16. Exchange Specimens—The commission may secure by purchase or otherwise, and exchange specimens of game birds, game animals or fish with the game commission or state game warden of other states for breeding purposes, and not otherwise; and may also grant

permission under the seal of said commission, to any accredited representative of any incorporated society of natural history to collect for scientific purposes only, nests, eggs, birds, animals or fish protected by this chapter. Such specimens shall not be sold or transferred.

SEC. 17. Fishways—Any person owning, erecting, managing or controlling any dam or other obstruction across any river, creek or stream, within or forming the boundary line of this state, shall construct in connection with such dam, durable and efficient fishways in such a manner and of such shape and size that the free passage of all fish inhabiting such waters shall not be obstructed. Such fishways shall be maintained in such condition and kept in good repair by the person so owning, controlling, managing, operating or using such dam or obstruction.

Dams to
have free
passageways.

If any such person fails to construct or keep in good repair durable and efficient fishways as herein provided, for the space of ten (10) days after notice, the commission may construct or repair the same and the cost thereof may be recovered from the owners or any person managing or being in control thereof, in a civil action brought in the name of the State of Minnesota. Any money so recovered shall be credited to the game and fish commission.

Failure to
construct
or keep.

All fishways heretofore or hereafter erected in any dam or obstruction across any of the streams of this state, shall at all times be under the supervision and control of the commission.

To be under
supervision.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

SEC. 18. Sawdust Deposits—Any person who deposits any sawdust or other refuse in any streams or water wherein the commission has deposited fish fry, or may deposit any such fry, or where any brook trout naturally abound, shall be deemed guilty of a misdemeanor.

A crime.

SEC. 19. Disposition of fines—All fines collected under any of the provisions of this chapter shall be paid into the county treasury of the county wherein the conviction was had, to the credit of the general revenue fund.

Paid in to
Co. treasury.

SEC. 20. Disposition of Other Moneys—All moneys collected by the commission upon licenses issued by it, or bonds or contracts entered into with any person, including money received from all other sources, except fines, shall be paid into the state treasury and credited to the game

Credited to
game and
fish commis-
sion fund.

the trout were not grown in a private hatchery or that the birds, animals or fish were not taken for scientific purposes, but the person claiming that such birds, or animals were domesticated, or the trout grown in a private hatchery, or that the said birds or animals were taken for scientific purposes, as herein provided, shall prove on the hearing or trial that such birds or animals were domesticated, or that such trout were grown in a private hatchery or that such birds or fish were taken for scientific purposes as by law provided, or were not caught, taken or killed outside this state, or had in possession without license or permit therefor.

GAME BIRDS AND ANIMALS.

SEC. 23. Ownership in State—No person shall at any time or in any manner acquire any property in, or subject to his dominion or control, any of the birds, animals or fish or any part thereof of the kinds herein mentioned, but they shall always and under all circumstances be and remain the property of this state; except, that by killing, catching or taking the same in the manner and for the purposes herein authorized, and during the periods when their killing is not herein prohibited, the same may be used by any person at the time, in the manner and for the purposes herein expressly authorized; and whenever any person kills, catches, takes, ships or has in possession, or under control, any of the birds, animals or fish, or any part thereof, mentioned in this chapter, at a time or in a manner prohibited by this chapter, such person shall thereby forfeit and lose all his right to the use and possession of such bird, animal or fish, or any part thereof, and the state shall be entitled to the sole possession thereof.

Except as in
this act pro-
vided.

SEC. 24. Nests and Eggs—No person shall at any time take or have in possession or under control, break up or destroy or in any manner interfere with any nest, or the eggs of any of the kinds of birds, the killing of which is at any or all times prohibited.

Prohibitions.

SEC. 25. Manner of Taking—No person shall at (any) time, catch, take or kill any of the birds or animals mentioned in this chapter, in any other manner than by shooting them with a gun held to the shoulder of the person discharging the same.

Do.

SEC. 26. Traps, Snares, Lights, Etc.—No person shall at any time set, lay, prepare, or have in possession

Do.

any trap, snare, artificial light, net, bird lime, swivel gun or set gun or any contrivance whatever, for the purpose of catching, taking or killing any of the game animals or birds in this chapter mentioned, except that decoys and stationary blinds may be used in hunting wild geese, brant and ducks.

Decoys.

Further prohibitions.

SEC. 27. Shooting After Dark—Sink—Boats, Etc.—No person shall at any time hunt with or shoot from any boat, canoe or contrivance or device whatever on any of the waters in this state between dark and daylight, and no person shall at any time make use of, hunt with or shoot from any floating battery, sink boat, sunken barrels, boxes, tubs, floating blinds or any similar device whatever, on any of the waters of this state.

Do.

SEC. 28. Shooting With Dogs—No person shall hunt, pursue, catch, take or kill any of the animals in this chapter mentioned, with any dog or dogs. Any dog or dogs used or attempted to be used in violation of any of the provisions of this section is hereby declared to be and is a public nuisance, and it shall be lawful for any person to kill any dog or dogs so being used or attempted to be used. The use or running of either pointer or setter dogs in fields or upon lands frequented by or in which game birds may be found during the month of August, or at any time except during the open season for killing game birds, and the keeping and maintaining of any dog at or about any hunting camp or lumber camp used by hunters, situated in any locality frequented by deer, moose or caribou, is hereby prohibited and made unlawful.

Do.

SEC. 29. Entering Growing Grain—No person shall at any time enter into any growing or standing grain not his own with intent to take, or kill any bird, or animal, nor permit any dog with which he shall be hunting to do so for such purpose, without permission from the owner or person in charge thereof. No person shall at any time enter upon any land not his own with intent to take or kill any birds or animals after being notified by the owner or occupant thereof not to do so. Such notice may be given orally or by posting written or printed notices to that effect, in the English language, in conspicuous places on the land so protected.

Do.

SEC. 30. Game Killed in Another State—No person shall at any time have in his possession or under his control within this state any bird, animal or fish, or any

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part thereof, which has been caught, taken or killed outside of this state at a time when it is unlawful to have in possession or under control such birds, animals or fish, or parts thereof, if caught, taken or killed in this state, or which have been unlawfully taken or killed outside this state, or unlawfully shipped therefrom into this state.

SEC. 31. Possession of Game and Fish, Presumption—The possession or having under control by any person of any bird, animal or fish, or any part thereof, the killing of which is at any time herein prohibited, shall be prima facie evidence that it was the property of this state at the time it was caught, taken and killed (in this state), also that such possession or having under control at any time when the killing, taking or possession thereof is by this chapter declared to be unlawful, shall be prima facie evidence that such taking and killing occurred during the closed season, unless there remains attached to such game bird or animal or any part thereof, the tag and seal of the state game and fish commission, provided for by this chapter to disprove which it shall be necessary for the party in possession thereof to show that at the time it was caught, taken or killed, it was lawfully caught, taken or killed outside, or within this state, or that it was lawfully caught, taken or killed within the state and that he was lawfully in possession thereof.

Prima facie evidence of possession.

SEC. 31½. Nothing in this act shall be construed as prohibiting the buying, shipping or having in possession at any time the skins of fur-bearing animals killed within or without the state, or hides of moose, deer or caribou killed without the state upon proof that the hides were so taken. *Provided, however,* that raw hides of moose, deer or caribou taken or killed within this state out of season shall not be bought or sold at any time.

Skins of fur bearing animals.

SEC. 32. Game Birds—Season for Killing—No person shall hunt, take, kill, ship, convey or cause to be shipped or transported by common or private carrier, to any person either within or without the state, expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control, at any time, any turtle dove, snipe, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse. Chinese, ring-neck or English pheasant, wild duck of any variety, wild goose of any variety, brant or any variety of aquatic fowl, whatever, or any part there-

Prohibitions.

Open season.

of, except: 1—That any turtle dove, snipe, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, woodcock, upland plover and golden plover may be killed and had in possession between the first day of September and the first day of November following. 2nd—That any quail, partridge, ruffed grouse or pheasant, other than Mongolian, Chinese ring-neck or English pheasant, may be killed or had in possession between the first day of October and the first day of December following. 3rd—That wild duck of any variety, wild goose of any variety, brant or any variety of aquatic fowl whatever, may be killed and had in possession between the first day of September and the first day of December following.

Number of birds allowed.

And when any of the birds mentioned in this section have been lawfully caught, taken, killed or had in possession within the time herein allowed, they may be had in possession for five (5) days thereafter. But no person shall in any one day take or kill more than fifteen (15) birds or have in his possession at any time more than forty-five (45) turtle dove, prairie chicken, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover, golden plover or any or all of the same combined, or fifty (50) snipes, wild duck, goose, brant, or any variety of aquatic fowl, whatever, or any or all of the same combined.

Open season.

Number of deer and moose allowed.

SEC. 33. Deer and Moose—Season for Killing—No person shall hunt, catch, take, kill, ship, convey or cause to be shipped or transported by common or private carrier, to any person, either within or without the state, or purchase expose for sale, have in possession with intent to sell, sell to any person, or have in possession or under control at any time, any elk, moose, caribou, deer or fawn, or any part thereof, including the hides and horns, except as hereinafter provided. *Provided*, that deer may be killed between Nov. 10 and Nov. 30 of the same year, and any deer or any part thereof, may be had in possession by any person during the same time; but no person shall kill or have in possession during said time more than two (2) deer, or parts thereof; and *provided further*, that any person who is lawfully in possession of any deer, or any part thereof, may ship or cause the same to be shipped in the manner provided for by this chapter, but not otherwise; and *provided, further*, that male antlered moose may be killed between Nov. 10th and Nov. 30th of the same year, and any such male moose, or

part thereof, may be had in possession by any person during the time aforesaid, but no person shall kill or have in possession during said time more than one (1) male moose, or part thereof; and *provided, further*, that when any deer or such male moose or any part thereof, are lawfully in the possession of any person as provided for in this chapter, such person may continue in the possession of the same for five (5) days after the time herein limited for killing said animals; and *provided, further*, that no cow or female moose can be killed or had in possession at any time.

SEC. 34. Resident License—Shipment of Game—Every resident of this state is prohibited from hunting, taking or killing any game bird or game animal, unless he shall have first procured a license therefor from the county auditor of the county in which he resides; except that any citizen of this state may hunt, take or kill any of the game birds mentioned in this chapter in the county in which he is a bona fide resident without having a license to so hunt. Said auditor shall upon application issue to such person under his seal, upon blanks to be furnished him by the game and fish commission, a license to hunt game animals and game birds, upon the payment to him of a license fee of one dollar (\$1), which license shall expire on the 31st day of December following its issuance. Ten cents of the amount received for the issuance of said license shall be retained by the county auditor as his fee, and the balance remitted to the state treasurer, who shall credit the same to the game and fish commission fund to be used for the purpose of enforcing the provisions of this chapter. Every such applicant shall prove to the satisfaction of the county auditor that he is a bona fide resident of this state, and shall state, under oath, his name, resident and postoffice address. Only one of such licenses shall be issued to any person and it shall not be transferable, and it is hereby made the duty of such licensee to exhibit the same to any person upon request. Such license shall describe the licensee, designate his place of residence, and shall have attached thereto three (3) coupons upon which shall be printed respectively the words, "moose," "deer," and "game birds." Each coupon, except the ones marked "deer" and "game birds," shall be divided into two (2) sections lettered respectively "A" and "B." The coupons marked "deer" and "game birds" shall be divided into four (4) sections, two (2) of which

No license
required
in home
county.

County
auditor's
issue.

License,
coupons, etc.

Shipping
game.

shall be lettered "A" and two (2) "B." Any resident who has paid said fee and procured such license to hunt game animals and game birds may during the open season hunt, take and kill one (1) male antlered moose, two (2) deer and also game birds, in the manner and subject to the limitations and conditions prescribed by this chapter, and may ship by common carrier in the manner herein provided, and not otherwise, to any point in the county in which he resides, one (1) male antlered moose, and two (2) deer, or any part thereof, and fifty (50) game birds, in two shipments of not to exceed twenty-five (25) birds, each, so lawfully shot or had in his possession. Said game animals and game birds may be shipped by said licensee to himself at his place of residence by common carrier, upon attaching to such game animals or any part thereof, or game birds, respectively, section "B" of said coupon. Upon receiving such game it is made the duty of said common carrier to detach from the license section "A" of said coupon and at once forward the same by mail to the game and fish commission.

Game as
baggage.

Provided, however, that nothing in this chapter contained shall be deemed or construed to prevent any resident of this state from personally carrying with him as baggage, on any train or conveyance, any game birds or fish which may be legally in his possession and any common carrier is hereby permitted to carry any such game birds or fish as baggage, when the same is so accompanied and carried on the same train or conveyance by the person who is legally in possession of the same.

Prohibition
as to em-
ployes of
common
carriers.

Provided further, that nothing herein contained shall be construed to permit employes of a common carrier to carry any such game birds, animals or fish or parts thereof with them, whether as baggage or otherwise, while engaged in the performance of the duties of their said employment, and they are specifically prohibited from so doing.

Fee.

SEC. 35. Non-resident License—Shipment of Game—Every person not a resident of this state is prohibited from hunting, taking or killing any game bird or game animal unless he shall have first procured a license therefor from the game and fish commission. Said commission shall upon application issue to any non-resident, a license to hunt game animals, upon the payment to it of a license fee of twenty-five dollars (\$25) and to hunt game birds upon the payment to it of a license fee of

ten dollars (\$10), which license shall expire on the 31st day of December following its issuance.

Said license to hunt game animals shall describe the licensee, designate his place of residence, and shall have attached thereto two (2) coupons divided into three (3) sections, lettered respectively "A," "B" and "C." The words "deer" and "moose" shall be printed upon the coupons attached thereto. Any non-resident who has paid said fee and procured such license to hunt game animals, may during the open season, kill in the manner authorized by this chapter, one (1) male antlered moose, and one (1) deer, and also ship such deer so killed by him to his said place of residence outside the state, upon attaching to such game animal, or any part thereof, respectively, sections "B" and "C" of said coupon, and ship such moose to any place within the state by attaching section "B" of said coupon. Upon receiving said game, it is the duty of said common carrier to detach from the license section "A" of said coupon and at once forward the same by mail to the commission. Sections "B" and "C" of said coupons must remain on said deer, or part thereof, so shipped outside the state while in transit in this state, and section "C" of said coupon must be detached by said common carrier at the last station or place in this state where the train or other conveyance of such common carrier shall stop, and it shall be the duty of said common carrier to forward section "C" of said coupon to the game and fish commission immediately upon being detached.

Shipping
game by
non-resident.

Said license to hunt game birds shall describe the licensee, designate his place of residence and shall have attached thereto one (1) coupon divided into three (3) sections, lettered respectively, "A," "B" and "C." The words "game birds" shall be printed upon the coupon attached thereto. Any non-resident who has paid said fee and procured a license to hunt game birds, may hunt, take and kill game birds, in the manner authorized by this chapter, during the open season, subject to the limitations applicable to residents of this state, and may ship to his place of residence outside this state twenty-five (25) game birds so lawfully shot and taken by him, upon attaching to such game birds sections "B" and "C" of said coupon. Upon receiving said game birds, it is the duty of said common carrier to detach from the license section "A" of said coupon, and at once forward the same by mail to

the game and fish commission. Sections "B" and "C" of said coupon must remain on said game birds while in transit in this state, and section "C" of said coupon must be detached by said common carrier at the last station or place in this state where the train or conveyance of such common carrier shall stop, and it shall be the duty of said common carrier to forward section "C" of said coupon to the game and fish commission immediately upon being detached.

Said licenses shall not be transferable, and it is hereby made the duty of said licensee to exhibit the same to any person upon request.

For viola-
tions of act.

SEC. 36. Forfeiture of License—Any person who shall violate any of the provisions of this chapter and who is at the time of such violation in the possession of a license duly issued to him, shall, upon conviction thereof, forfeit such license to the State of Minnesota, and such person shall deliver to the court before whom he was tried any such license, and the court shall forward the same to the commission.

Retaining
game during
closed sea-
son, appli-
cation.

SEC. 37. Retaining Game—Tags—Penalty—Any person who is a resident of this state and legally in possession of any of the game birds or game animals, or any part thereof, which have been caught, taken or killed at a time or in a manner permitted by the provisions of this chapter, and who is desirous of retaining possession of the same for his own use after the time in this chapter limited, and who shall before such time make application to the commission for leave to retain the same, which application shall be in writing and signed or sworn to by the applicant, and shall state:

First—The name and residence of the person in possession of such birds or animals, or parts thereof.

Second—The number, kind and location of said birds or animals or parts thereof, which number shall not exceed forty-five (45) turtle dove, prairie chicken, pinnated, white breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover or golden plover, or any or all of the same combined, or fifty (50) snipe, wild duck, goose, brant or any variety of aquatic fowl whatever, or any or all of the same combined, two (2) deer or the parts thereof, one (1) male moose or the parts thereof for each applicant.

Third—That if permitted to retain the same by said commission the applicant will retain possession of said

birds and animals for his own use and will not ship, sell or dispose of the same.

If said commission is satisfied that said application is made in good faith and said applicant will keep said birds and animals and parts thereof for his own use and not for sale, the said commission shall cause tags or seals, which shall not be duplicated by others, and which shall not be removed, to be attached to each bird or animal, or parts thereof, not exceeding forty-five (45) turtle dove, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover or golden plover, or any or all of the same combined; or fifty (50) snipe, wild duck, goose or brant or any varieties of aquatic fowl whatever, or any or all of the same combined; two (2) deer or the parts thereof and one (1) male moose, or the parts thereof, for each applicant; or in lieu thereof, if any applicant therefor resides at a distance from any game warden, then the commission may issue to such applicant a written permit to keep and use such game.

Tag and
seals at-
tached to
game so
kept.

The person making such application shall, before said tags or seals are attached, pay to the commission the reasonable expense of making and attaching such tags and seals.

After the tags and seals have been so attached, or such permit received, the person holding such permit may, while the tags or seals remain upon said birds and animals and parts thereof, retain possession of the same until consumed; *provided*, that nothing in this chapter contained shall prevent a person from disposing of as a gift any of the birds and animals mentioned herein. The having in possession of any game bird or animal or any part thereof which is not so tagged and sealed, or for which a retention permit has not been received, except during the open season and five (5) days thereafter, is hereby made unlawful. Any such game bird or game animal, or any part thereof, had or held in possession by any person during the season when it is unlawful to have the same in possession, is hereby declared contraband and the right of any such person to retain or use the same shall cease. Any person who shall destroy, imitate or duplicate any tag or seal attached to any bird or animal, or part thereof, or who shall ship, sell or dispose of any bird or animal, or any part thereof, which has been tagged or sealed as aforesaid, or for which a permit to keep and use the same

Game kept
without per-
mit, contra-
band.

Fine.

has been issued, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five (\$25) nor more than fifty dollars (\$50) and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than sixty (60) days for each and every bird or animal or part thereof, so shipped, sold or disposed of.

Close season, exception.

SEC. 38. Mink, Muskrat, Otter, Beaver—No person shall catch, take or kill any mink, muskrat, otter or beaver between the first day of May and the first day of November following. *Provided*, that when any of the animals mentioned in this section are doing damage to or destroying any property the persons whose property is being damaged or destroyed may kill them at any time.

Prohibitions.

SEC. 39. Harmless Birds—Game Birds Defined—No person shall catch, take, kill, ship or cause to be shipped to any person within or without the state, purchase, offer or expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control at any time, living or dead, any wild bird other than a game bird, nor any part thereof, and for the purposes of this chapter the following only shall be considered game birds. The Antidas, commonly known as swan, geese, brant, river and sea ducks, the linolae, commonly known as plover, snipe and woodcock; the gallinae, commonly known as grouse, prairie chickens, pheasants, partridges and quail; *provided*, that blackbirds, crows, English sparrows, sharp-shinned hawks, cooper hawks and greathorned owls may be killed and had in possession at any time; but nothing herein contained shall be construed to prevent the keeping and sale of song birds as domestic pets.

Game birds defined.

Song and other birds.

FISH.

Closed season.

SEC. 40. Fish May be Taken, When. No person shall catch, take, kill or have in possession or under control, for any purpose whatever, and of the fish hereinafter mentioned within the periods herein limited, to-wit: Any variety of trout, except lake trout, between the first day of September and the fifteenth day of April following; any black, grey or Oswego bass between the first day of March and the twenty-ninth day of May following; any variety of pike, muskallonge, croppie, perch, sunfish, sturgeon, catfish or any other variety of fish between the first day of March and the first day of May following.

SEC. 41. Manner of Taking—No person shall catch, take or kill more than twenty-five (25) fish, except sunfish, perch, pickerel or bullheads in any one day, nor in any other manner than by angling for them, with a hook and line held in the hand, or attached to a rod so held, nor with more than one line or with more than one hook attached thereto; and no person shall have in his possession any fish caught, taken or killed in any of the waters of this state, except as provided in this chapter.

Limitations.

Provided, that pickerel, suckers, redhorse, carp and bullheads may be taken with a spear without limit at any time and artificial lights may be used in so doing.

Spearing.

Provided further, that in all of the inland lakes in this state, permission having been granted therefor, but not otherwise, a net may be used for the purpose of taking and catching whitefish or trelipies from November tenth to December tenth of the same year. Said net shall not exceed two hundred (200) feet in length and four (4) feet in width, and the meshes of said net shall not be less than three and one-half (3½) inches in size of mesh when the same is extended.

Permission to use nets, size, etc.

Any person desiring to use any such net shall first make application for a permit therefor to the commission, in writing, and shall state that the said net is to be used by them for the purpose of obtaining fish for their own domestic use and not for the purpose of sale, which application shall be accompanied by a fee of one dollar (\$1.00) for each net, but no person shall be permitted to use more than two (2) of such nets.

SEC. 42. Netting in Mississippi River Within State—Except in certain portions of the Mississippi river hereinafter defined, and in certain defined boundary waters of the state, a pound net, seine or dip net may be used in the Mississippi river from the Falls of St. Anthony to a point one thousand (1,000) feet above the mouth of the St. Croix river for catching sturgeon, redhorse, dogfish, buffalo fish, catfish, pickerel, carp and suckers, but no such net or seine shall be used within a distance of one thousand (1,000) feet from the mouth of any stream, and that the said pound net shall not exceed seventy-five feet in length, and the length of such seine shall not exceed one hundred and fifty (150) feet. The mesh in said net or seine shall not be less than two and one-half (2½) inches in the bar and five (5) inches when the same is extended, and before any such pound net or seine is used

Limitations.

St. Croix river.

the person desiring to use the same shall first make application therefor to the game and fish commission of this state for permission to use such net or seine, which application shall state the name of the person and the place where the applicant desires to use the same, and which application shall be accompanied by a fee of five dollars (\$5.00) for every net desired to be used.

Permit for
1 season.

The commission may issue such a permit for the use of such net or seine to such applicant, which permit shall be for one season only. The person to whom such permit or license is issued shall not change the location of such net or seine without first giving written notice of his intention to do so to the commission, and in such notice describing the place to which he intends to remove his or her net or seine.

Commission
may li-
cense.

SEC. 43. Netting in International Waters—Penalty—The game and fish commission is hereby authorized to license the use, in international waters, of pound nets of the character and subject to the regulations hereinafter contained, and to issue licenses therefor.

Regulations.

The size of the mesh of the pot or pound of the pound net shall not be less than one and three-quarters ($1\frac{3}{4}$) inches, bar measure, or three and one-half ($3\frac{1}{2}$) inches extension measure. Said pound nets may be set in strings, but no string of such nets shall exceed three (3) in number and the leads of such nets shall in no case exceed the following lengths: The shore lead eighty (80) rods and the leads between the pounds or pots fifty (50) rods in length. Said net or string of nets shall not be less than twenty-five hundred (2,500) feet apart, nor within five hundred (500) feet of the mouth of any stream, and for every ten (10) miles of net set there shall remain an open space of five (5) miles where no net shall be set, which five (5) miles space shall be in excess of the twenty-five hundred (2,500) feet above mentioned. Any one desiring to use such nets or string of nets shall, before so doing, make written application for such privilege to the commission, setting forth therein the name of the applicant, the number of nets desired to be used, with an accurate description in detail of each net, the waters in which it is desired to set in, and a statement of the location of all other nets then in use in such waters situated within five thousand (5,000) feet of the place where it is desired to set such nets, which application shall be accompanied by a license fee of twenty-five dol-

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lars (\$25) for each net. The commission may issue a license to the applicant who shall be a citizen of the United States. Said license shall not be transferable and shall be good for one (1) fishing season only. Said license shall permit the use of so many of said nets at the place indicated in said application as the commission shall deem for the best interest of the state. Said commission shall retain twenty-five dollars (\$25) for each net so licensed. The commission shall not issue to any one person for the use or benefit of such applicant a license to use more than fifty (50) nets during a single fishing season and whenever more than one person shall apply for a license to fish in the same locality, the priority of such application shall be determined in such manner as the commission may designate. No such license shall be issued authorizing the use of any net or nets in international waters between the first day of April and the twentieth day of May following, and it shall be unlawful for any person to assist in placing or place any such net during such season:

Each applicant to whom a license is issued shall make a written report at the end of such fishing season to said commission, stating the number of nets used and where used by him, and the amount in number, kind and the pounds of each kind of fish taken by him in each net.

Report to
commission.

Any pound net, seine or dip net which is being used without a license or any pound net, seine or dip net which is being used in violation of a license, issued for its use, is hereby declared to be and is a public nuisance, and it shall be the duty of all the members of the commission, game wardens, sheriffs and their deputies, police officers and constables, without warrant or process, to take, seize, abate and destroy any and all of the same.

Seizure
without
warrant.

The commission, game wardens, sheriffs, and their deputies, police officers and constables, shall seize any and all nets and seines when illegally used and all fish taken therewith, and at once report the seizure to the commission.

Every person using, aiding or abetting the use of any such net contrary to the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of one hundred dollars (\$100) or by imprisonment in the county jail for ninety (90) days for each and every net so illegally used.

Misdemeanor
penalty.

Not within
400 feet.

SEC. 44. Fishing Near Fishways—No person shall catch, take or kill any fish in any lake or stream within four hundred (400) feet of any fishway, or have in his possession or under his control any fish so caught, taken or killed.

Prohibited.

SEC. 45. Use of Drugs, Dynamite, Traps, Etc.—No person shall lay, set, use or prepare any drug, poison, lime, medicated bait, fish berries, dynamite, or any other deleterious substance whatever, or lay, stretch or place any tip-up, trap, snare, set or trot-line, or any wire string, rope or cable of any sort in any of the waters of this state with intent to thereby or therewith catch, take or kill any fish.

SEC. 46. Fish Houses—No person shall erect, have or maintain upon the ice in any of the waters of this state any fish house, structure, enclosure or shelter whatever to protect the person of the occupant while engaged in fishing through the ice.

Exception.

Except, that on all inland lakes of this state, a fish house may be used for the purpose of taking pickerel, suckers and redhorse from the fifteenth of December to the first (day) of April following; *provided further*, that any person desiring to use such house shall first make application for a permit for such use to, and obtain such permit from, the game and fish commission, stating that the same is to be used by him for the purpose of obtaining fish for his domestic use and not for commercial purposes, which application shall be accompanied by a fee of one dollar, but no such person shall be permitted to use more than one fish house.

Sale or
shipment of.

SEC. 47. Sale of Trout, Black and Grey Bass—No person shall have in possession for sale, or with intent to sell, expose or offer for sale or sell to any person, any brook trout, or grey, black or Oswego bass, at any time, or ship, cause to be shipped, or have in possession with intent to ship to any person, either within or without the state, any such fish, or have any black, grey or Oswego bass in his possession during the season for taking the same, or any trout during the closed season, except they are caught in a private hatchery.

Return to
water fish
less than
6 inches.

SEC. 48. Size of Fish to be Taken—No person shall at any time catch, take, kill or have in possession or under control any fish for any purpose whatever, except minnows for bait, rock bass, sunfish and bullheads that are less than six inches in length. Any person catching such

fish shall at once return same to the water from which they are taken with as little injury as possible.

No person shall take, kill, have in possession for sale or with intent to sell, offer or expose for sale, or have in possession or under control for any purpose whatever any lake trout or whitefish of less than two pounds, round or undressed weight, or one and one-half pounds, dressed weight, or any wall-eyed pike of less than fourteen inches in length or one pound round or undressed weight, or any muskallonge less than thirty inches in length, or any blue pike or sangers of less than ten inches in length. Measurement in each case to be made from the tip of the snout to the fork of the tail. Any such fish when caught shall be immediately returned to the water.

Lake trout or whitefish less than 2 pounds.

Wall-eyed pike less than 14 inches.
Muskallonge 30 inches.
Blue pike 10 inches.

SEC. 49. Fishing in Lake Superior—Fish of any description shall not be caught with nets or seines in the waters of Lake Superior under the jurisdiction of the State of Minnesota, between the fifteenth day of October and the thirtieth day of November following. No person shall take, catch or have in possession or under his control for any purpose whatever, any sturgeon caught in Lake Superior prior to June 1st 1910.

Closed season in Lake Superior.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than one hundred (100) nor more than five hundred (500) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than ninety (90) days for each and every net so used, had or maintained.

Misdemeanor penalty.

SEC. 50. Shipping Outside of State—No person shall ship, have in possession with intent to ship or cause to be shipped beyond the borders of this state any fish of the kinds mentioned in this chapter, except as herein provided, except that the commission may give a written permit to any responsible person (a bona fide resident of this state) to ship fish commonly known as bullheads, buffalo fish, carp, redhorse, suckers, sheephead, eel-pout, garfish, dogfish, sturgeon and catfish out of the state upon such reasonable conditions as it may adopt. *Provided further*, that any non-resident of this state who is desirous of taking any fish beyond its borders for his personal use may carry with him on the same train or conveyance, not to exceed fifty pounds of fish caught by him. *Provided further*, that all boxes and packages containing fish, or all boxes, bags, or packages of any description used

Permits given residents to ship certain kinds.

As to non-residents.

Packages plainly marked.

in shipping fish, either within or without this state, shall be plainly marked with the name and address of the consignor and consignee, and with the contents of the package.

In counties of 150,000 and over.

SEC. 51. Sale of Fish Prohibited, When—No person shall sell, have in possession with intent to sell, or offer for sale any fish caught in any lake situated partly or wholly within a county in this state that has a population of one hundred and fifty thousand, or over.

MISCELLANEOUS PROVISIONS.

Fifteen birds in one day.
Twenty-five fish.
Exception.

SEC. 52. Game and Fish Taken in One Day.—No person shall wantonly waste or destroy any of the birds, animals or fish of the kinds mentioned in this chapter. The catching, taking or killing of more than fifteen birds by any one person in any one day, or the catching, taking or killing of more than twenty-five fish by any one person in any one day, except fish caught, taken or killed in the Mississippi river or international waters with nets or seines, as by this chapter permitted, shall be deemed a wanton waste, and destruction of all such birds or fish caught, taken or killed in excess of such number.

Hunting, etc., prohibited.

SEC. 53. State Parks.—No person shall pursue, hunt, take, catch, or kill any wild bird or animal of any kind within the limits of any territory set apart, designated, used or maintained as a state public park, or within one-half mile of the outer limits thereof or have any such bird or animal or any part thereof in his possession or under his control within said park or within one-half mile of said outer limits.

As to fire arms.

No person shall have in his possession within any such park or within one-half mile of the outer limits thereof, any gun, revolver, or other firearm unless the same is unloaded, and except after the same has been sealed by the park commissioner or a deputy appointed by him, and except also such gun or other firearm at all times during which it may be lawfully had in such park remains so sealed and unloaded. Upon application to the park commissioner or any deputy appointed by him, it is hereby made his duty to securely seal any gun or firearm in such a manner that it cannot be loaded or discharged without breaking such seal. The provisions of this section shall apply to all persons including Indians.

To residents.

SEC. 54. Sale of Game by Commission—The game and fish commission is hereby authorized to sell to resi-

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OF MINNESOTA FOR 1905.

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dents of this state at the highest market price obtainable therefor, all furs, fish, game, game animals or game birds now or which may hereafter come into its possession. The proceeds thereof shall be turned into the state treasury and credited to the game and fish commission funds. A record of such sales, including the name of the purchaser and the price paid, shall be kept by the commission. Said commission shall, before selling, tag the same in a manner to be determined by it.

Proceeds
turned into
state treas-
ury, record
of sales.

SEC. 55. Game Shall Not be Resold—Fish, game, game animals and game birds, or any part thereof, sold pursuant to the terms of the foregoing section, shall not be resold, offered for sale or held for the purpose of sale, or otherwise disposed of, to any other person by said purchaser. Said game shall not be bought or taken into possession by any person other than said purchaser from the commission.

SEC. 56. Obstructing Commission—Gathering Spawn—No person shall obstruct the commission, its executive agent or any warden appointed by it while engaged in gathering fish spawn, nor shall any person place in any stream or river any logs or other debris at any time when said commission and its employees are gathering spawn, or about to gather spawn or catch fish for that purpose in any such stream or river. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor. The commission may institute a civil action in the name of the state to recover from any person or persons obstructing it in the performance of its duties, or who shall place logs or other debris in such stream, for all damages resulting therefrom, and in addition there-to may in such action enjoin such party or parties from doing the acts hereby prohibited.

Logs or
other debris
in rivers or
streams.

Prosecution.

SEC. 57. Appropriation—The sum of thirty-five thousand dollars (\$35,000), or so much thereof as may be necessary, is hereby appropriated annually, commencing August 1st, 1905, for the purpose of carrying on and enforcing the provisions of this chapter, to be paid for such purpose out of any moneys in the state treasury not otherwise appropriated.

\$35,000.
annually.

SEC. 58. Illegal Use of Coupons—Any person who uses any coupon described in this chapter other than those issued and delivered to him personally by the county auditor in the shipping or transporting of any game bird or animal or any part thereof, or uses such coupon for

Misdemeanor

any purpose or in any manner other than in this chapter authorized shall be guilty of a misdemeanor.

Procuring of
illegally,
penalty.

SEC. 59. Coupons—Conspiracy—Any person who solicits, or directly or indirectly procures the issuance and delivery of any such coupon to any fictitious person or persons other than himself and uses it in any manner, or who obtains possession of any such coupon and delivers it to any person, or who solicits or procures the shipment to himself or any third person, from another, of any game bird or game animal or any part thereof shall be guilty of a conspiracy to violate the game laws and upon conviction thereof shall be fined not less than fifty nor more than one hundred dollars for the first offense and confined in the county jail not less than sixty or over ninety days for the second offense, and confined in the state prison at Stillwater not less than sixty days for each subsequent offense.

Prohibited.

SEC. 60. Cold Storage—The placing or receiving within or storage of any game bird or game animal, or any part thereof, in any cold storage plant is hereby prohibited and made unlawful.

PENALTIES.

SEC. 61. Resisting Commissioner or Warden—Whoever shall resist or obstruct the executive agent of said commission, or any member thereof, or any warden or other officers of this state, in the discharge of his duties under this chapter, shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than fifty (50) nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) nor more than ninety (90) days for each and every offense.

Misde-
meanors.

SEC. 62. Killing, Selling, Buying or Shipping Moose and Deer—Any person who takes or kills, has in possession, has in possession with intent to sell, sells, offers or exposes for sale, ships by common carrier, conveys or causes to be conveyed, has in possession with intent to so ship, or to convey in any manner, to any point within or without this state, any moose, deer, or any part thereof, including the hides and horns, or any person who buys any such game animal, or any part thereof, in violation of any of the provisions of this chapter, or any common carrier or agent thereof who ships or aids or abets any person in shipping any such game animal or any part

thereof, or has possession of the same with intent to ship or transport or convey to any point either within or without this state, contrary to any of the provisions of this chapter, shall be guilty of a misdemeanor and be punished by a fine of not less than fifty (50) or more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than ninety (90) days for each and every moose or deer, or any part thereof, including the hide and horns, taken, caught, killed, sold, offered or exposed for sale, had in possession, or had in possession with intent to sell, shipped by common carrier or conveyed in any manner, or had in possession with intent to so ship, or transport to any point within or without this state in violation of any provisions of this chapter; *provided, however*, that such fine shall not exceed two thousand (2,000) dollars, or such imprisonment exceed the term of one (1) year.

SEC. 63. Taking, Killing, Selling, or Shipping Game Birds and Fish—Any person who takes, catches, or kills, has in possession, or has in possession with intent to sell, sells, offers or exposes for sale, ships by common carrier, conveys or causes to be conveyed, has in possession with intent to so ship or convey to any point either within or without this state, any game bird or fish, or any part thereof, in violation of any of the provisions of this chapter, or any common carrier or agent thereof who aids or abets any person in shipping such game birds or fish, or has the same in possession with intent to ship or convey, to any point either within or without this state, contrary to any of the provisions of this chapter, shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than ten (10) nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) nor more than sixty (60) days for each and every game bird or fish or part thereof, taken, caught, killed, sold, offered or exposed for sale, had in possession, or had in possession with intent to sell, shipped by common carrier, or transported in any manner, or had in possession with intent to so ship or transport to any point within or without this state, in violation of any of the provisions of this chapter; *provided, however*, that such fine shall not exceed two thousand (2,000) dollars or such imprisonment exceed the term of one (1) year.

SEC. 64. Attempts—Any attempt to violate any of the provisions of any section of this chapter shall be deemed a violation of such provision, and any person attempting to violate any of the provisions of any section of this chapter shall be guilty of a misdemeanor, and upon conviction thereof punished by a fine of not less than ten (10) nor more than fifty (50) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) nor more than sixty (60) days for each and every offense.

SEC. 65. Hunting Without License—Any person, either a resident or non-resident of this state who shall hunt, take or kill any of the game birds or game animals in this state, without having first procured a license therefor as provided in this chapter, shall be guilty of a misdemeanor, and upon conviction thereof, punished by a fine of not less than twenty-five (25) nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) nor more than ninety (90) days for each and every offense.

SEC. 66. Harmless Birds.—Any person who takes, catches, kills, ships or causes to be shipped to any person within or without this state, purchases, offers, or exposes for sale, sells, has in possession, has in possession with intent to sell, any harmless bird, either living or dead, or any part thereof, in violation of the terms of section thirty-nine (39) of this chapter, shall be guilty of a misdemeanor, and upon conviction thereof punished by a fine of not less than ten (10) nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days, for each and every bird or any part thereof so caught, taken, killed, shipped or caused to be shipped to any person, either within or without this state, purchased or sold to any one, had in possession, had in possession with intent to sell, offered or exposed for sale, or had in possession or under his control. This section shall not be construed to apply to the keeping or selling of parrots or song birds as domestic pets.

Domestic
pets.

SEC. 67. General Penalty—Any person who violates any provision of this chapter for which a penalty has not been heretofore specifically provided, shall be guilty of a misdemeanor, and be punished by a fine of not less than ten (10) nor more than fifty (50) dollars and costs of

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prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than sixty (60) days.

SEC. 68. All acts and parts of acts inconsistent with the provisions of this chapter, are hereby repealed.

SEC. 69. This act shall take effect and be in force from and after its passage.

Approved April 19, 1905.

CHAPTER 345. S. F. No. 218.

An act to amend chapter 261 of the General Laws of Minnesota for 1903, entitled "An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness." Days of grace.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter 261 of the General Laws of Minnesota for 1903, entitled "An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness, except drafts drawn at sight," be and the same is hereby amended as follows:

That section one (1), of said chapter 261 be and the same is hereby amended to read as follows:

Section 1. No promissory note, draft, check, acceptance, bill of exchange or other evidence of indebtedness, shall be entitled to days of grace, but the same shall be payable at the time fixed therein without grace.

That section two (2) of said chapter 261 be and the same is hereby amended so as to read as follows:

Section 2. All promissory notes, drafts, checks, acceptances, bills of exchange, or other evidences of indebtedness, falling due or maturing on Good Friday, Thanksgiving Day, Sunday, or on any legal holiday, shall be deemed due or maturing on the next succeeding business day; and when Sunday and one or more legal holidays, or two or more legal holidays, fall on the same day, the following day shall be deemed a legal holiday, and when Sunday and one or more legal holidays, or two or more legal holidays, immediately succeed each other, then such instrument, paper or indebtedness shall be deemed as due or maturing on the day following the last of such days. Maturity of negotiable instruments.

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Phoenixville, Pa. -- Ordinances, etc.

A DIGEST
OF THE
ORDINANCES
OF
TOWN COUNCIL
OF THE
BOROUGH OF PHOENIXVILLE

TOGETHER WITH THE ACTS OF ASSEMBLY AND
DECREES OF COURT ESPECIALLY
RELATING TO PHOENIXVILLE

*Originally compiled by P. G. Carey, Esq.,
Revised by H. P. Waitneight, Esq., 1896, and
by Samuel A. Whitaker, Esq., 1906.*

PHOENIXVILLE, PA.
"THE DAILY REPUBLICAN" PRINT.
1906

PARKS.

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nue, be and the same is hereby accepted and ordered to be marked on the Borough plot.

2. Park alley be and is hereby continued from Third ^{Ord. 5 Aug., 1895} avenue south to Fifth avenue, the centre line of said alley to be 190 feet east of the centre line of Main street, said ^{Continued} alley to be twenty feet wide, or ten feet on each side of above described centre line.

3. The owners of lots or lands bounding on and opposite the sidewalks along * * * both sides of Park alley from Washington avenue to Second avenue * * * are hereby required to put up curbstones at the edge of the sidewalks and to pave and gutter the said sidewalks under the direction of the Borough Surveyor and the Street Committee. * * * ^{Ord. 8 Aug., 1886} ^{Curb, pave and gutter}

[If neglected after thirty days' notice Street Committee to have work done and file lien therefor. See Quick street § 4.]

PARKS.

1. The following rules and regulations shall be adopted ^{Ord. 2 July, 1878} for the government and protection of Reeves Park, in the Borough of Phoenixville:

SECTION I, PENAL.

1. No person shall enter or leave the park except by such gates or avenues as may be for such purposes arranged. ^{Rules of Reeves' Park}

2. No person shall indulge in any threatening, abusive, insulting or indecent language in the park.

3. No person shall engage in gaming or commit any obscene or indecent act in the park.

4. No person shall carry fire-arms or shoot birds or throw stones or other missiles therein.

5. No person shall cut, break or in anywise injure or deface the trees, shrubs, plants, turf or any of the buildings, seats, fences, lamps or statuary in the park.

6. No person shall turn cattle, goats, swine, horses, dogs or other animals loose into the park.

7. No person shall injure, deface or destroy any notices, rules or regulations posted, or in any other manner permanently fixed for the government of the park.

8. No person shall engage in any play at baseball,

PAVEMENTS.

cricket, shinny, football or any other games with ball and bat, except croquet, within the limits of the park.

Any person who shall violate any of said rules and regulations shall be guilty of a misdemeanor, and for each and every such offence shall pay the sum of five dollars, to be recovered before the Burgess or either of the Justices of the Peace of the Borough of Phoenixville, which fines shall be paid into the Borough treasury for park purposes.

SECTION 2, LICENSES.

1. No person shall expose any article for sale within the park without permission from the Town Council or its representative.

2. No person or persons shall have any musical, theatrical or other entertainments therein, nor shall any military or other parade or procession take place in the park without permission from the Town Council or its representative.

3. No gathering or meeting of any kind, assembled through advertisement, shall be permitted in the park without permission from Council or its legal representative.

SECTION 3, PROHIBITIONS.

1. No gathering or meeting for political purposes, nor spirituous or malt liquors shall be allowed within the park under any circumstances.

N. B.—And we do hereby earnestly appeal to all peaceable, law-abiding citizens, entreating that in the exercise of their proprietary rights they will diligently co-operate in the enforcement of all lawful measures for the care and preservation of all things pertaining to Reeves Park. It is *your own property*; won't you take care of it?

PARTY WALLS.

(See CHARTER § 7, VII.; BUILDINGS § 1 TO 4.)

PAVEMENTS.

(See CHARTER § 7; BUILDINGS § 4, 5; FINES AND PENALTIES § 5, 6, 7, 19, 20.)

Act 30 April,
1905

1. All Boroughs are hereby authorized and empowered to direct and require the grading, paving, repaving and repairing of all sidewalks on the streets of the Borough,

Staunton, Va. Charters

THE CODE

OF THE

CITY OF STAUNTON, VIRGINIA

CONTAINING

THE CHARTER AND GENERAL LAWS

AND ORDINANCES

1910
SHULTZ PRINTING CO.
Staunton, Va.

m.sm

*Staunton, Va.
Ordinance*

CHAPTER II.

OF THE PUBLIC PARKS AND THE GOVERNMENT THEREOF.

Sec. 134. Park Policeman.

There shall be selected by the council a park policeman whose duty it shall be to have carried out the rules and regulations for the government of the park.

Sec. 135. Acts prohibited in Park.

All persons are forbidden to enter or leave the park except by the gateways; to climb or walk upon any of the walls or fence, to turn cattle, horses, goats or swine into the park; to carry firearms, or to throw stones or other missiles within it; to cut, break, or in any way injure or deface the trees, benches, shrubs, plants, turf, or any of the buildings, fences, bridges, or other constructions upon the park; or to converse with, or in any way hinder those engaged in its construction.

Sec. 136. Fast driving, etc., prohibited.

No animal or wheeled vehicle shall travel on any part of the park, except upon the driveway, nor at a rate exceeding seven miles per hour. Persons on horseback shall not travel at a rate exceeding seven miles per hour.

Sec. 137. "Standing" or "hitching" places.

No animal or vehicle shall be permitted to stand upon any driveway or carriage road of the park, or any part thereof, and no animal or vehicle shall be permitted to be hitched or allowed to stand at any place within the park enclosure, except such places as may be provided and designated as "standing" or "hitching" places. Nor shall any person upon the park solicit or invite passengers.

Sec. 138. Vehicles for hire in park.

No hackney coach, carriage or other vehicle for hire, shall stand upon any part of the park for the purpose of taking in any

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ORDINANCES, RULES AND
REGULATIONS

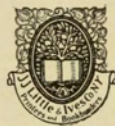
OF THE

DEPARTMENT *of* PARKS

OF THE

CITY OF NEW YORK (*city*)

SB 483
N 548 A5
1916



D. of D.
JAN 22 1917

CITY OF NEW YORK



6023-'16 (L & I) 1000

ORDINANCES, RULES AND REGULATIONS
OF THE
DEPARTMENT OF PARKS
of the CITY OF NEW YORK

The Park Board under Chapter 610 of the Charter (3d Edition, 1906) ordains as follows:

CHAPTER 17.

PARKS, PARKWAYS AND PARK-STREETS.

(REGULATIONS OF THE PARK BOARD.)

- Article 1. General provisions.
2. Traffic regulations.
 3. Building and other projections.
 4. Miscellaneous.

ARTICLE 1.

- Section 1. Definitions.
2. Interfering with lands or improvements thereon.
 2. Sub-surface disturbances.
 4. Over-head wires.
 5. Destruction of or injury to park property.

§2. Interfering with lands or improvements thereon. No person shall modify, alter or in any manner interfere with the line or grades of any park or park-street, nor take up, move or disturb any curb, gutter stone, flagging, tree, treebox, railing, fence, sod, soil or gravel thereof, except by direction of the commissioner or under his permit.

§3. Sub-surface disturbances. No person shall open, expose or interfere with any water or gas pipe, hydrant, stopcock, sewer, basin or other construction, within or upon any park or park-street, nor make any connection therewith, except under the authority of a permit, and upon the deposit of such sum of money as may be required by the commissioner to insure the restoration of the soil, sod, plants, shrubs, trees, sidewalk, pavement, curb, gutter and flagging disturbed in the making of such connection.

§4. Overhead wires. No person shall attach or string any electric or other wire, or adjust or carry the same into or over any park or park-street, except under a permit.

§5. Destruction of or injury to park property. No person shall cut, break or in any way injure or deface any tree, shrub, plant, grass, post, railing, chain, lamp, lamp-post, bench, tree-guard, building, structure or other property in, or upon any park or park-street.

§6. Preservation of lawns and grass plots. No person unless he shall hold a special permit therefor or unless a special permit therefor shall have been issued to a group of which he is a mem-

§10. Processions; drills; music. No parade, drill or manoeuver of any kind shall be conducted, nor shall any person play upon a musical instrument or display any flag, banner, target, sign, placard or transparency in any park, nor shall any civic or other procession form or move therein, without a permit; but no such permit shall be

necessary for the use of the parade ground in Van Cortlandt Park, borough of the Bronx, and the parade ground adjacent to Prospect Park, borough of Brooklyn, by organizations of the National Guard of the State of New York.

§11. Public meetings. No person shall erect any structure, stand or platform, or hold any meeting, or perform any ceremony or make a speech, address or harangue in any park without a permit from the commissioner having jurisdiction.

§12. Permits for sales, exhibitions, etc. No person shall exhibit, sell, or offer for sale anything whatsoever, or take any photograph, or perform any personal service for hire in any park or parkway, or in any street, square, or public place under the jurisdiction of the department of parks except under a permit from the commissioner of parks of the borough in which such park or parkway, street, square, or public place is situated or otherwise than in accordance with the terms of such permit, provided, however, that the provisions of this section shall not apply to public hack stands maintained in streets adjacent to public parks, pursuant to section 99, article 8, chapter 14 of the Code of Ordinances.

§13. Posting bills or placards; distributing cards, circulars or pamphlets. No person shall post any bill, placard, notice or other paper upon any structure, tree, rock, article or thing within any park or upon any park-street, nor paint or affix thereon, in any other way, any advertisement, notice or exhortation, except under a permit and

§15-A. Baseball and other games. No person shall throw, cast, catch, kick or strike with any implement whatever, any baseball, golf ball, football, basket ball, bean bag, or other object in or upon any park or parkway, or any square, circle, concourse, playground, street, avenue, boulevard or

12. Do any act tending to a breach of the public peace.

13. Bring into any park a beverage containing alcohol, except for delivery to a restaurant therein, duly licensed by the State Excise Department, with the permission of the commissioner of parks having jurisdiction, or consume publicly, except within the premises of a restaurant, duly licensed as aforesaid, any beverage containing alcohol.

All persons doing any act injurious to a park shall be removed therefrom by the park keepers or by the police. When necessary to the protection of life or property, the officers and keepers of the park may remove all persons from any designated part thereof.

§18. No parent, guardian or custodian of a minor shall permit or allow such minor to do any act prohibited by any provision of this chapter.

ARTICLE 2.

TRAFFIC REGULATIONS.

- Section 30. Use of drives and bridle paths.
 31. Vehicles obstructing assemblies.
 32. Towing vehicles.
 33. Restrictions on certain vehicles.
 34. Public hacks, cabs and automobiles.
 35. Carriers of offensive refuse or heavy materials.
 36. Smoky motor vehicles.
 37. Park-streets.

38. Harlem River driveway.
39. Ocean Boulevard, Bay Parkway, Eastern Parkway and the Brooklyn-Queens Speedway.
40. Bicyclists.
41. Coney Island cycle paths.
42. Instruction in driving motor vehicles or bicycles.

§30. Use of drives and bridle paths. In all parks and parkways, the drives shall be used only by persons in pleasure vehicles, on bicycles or on horseback; the bridle paths only by persons on horseback. Animals to be used on either shall be well broken, and constantly held in such control that they may be easily and quickly turned or stopped. No person shall operate, drive or propel, and no owner thereof riding thereon or therein shall cause or permit to be operated, driven or propelled, on any park drive, parkway or park street, any bicycle, tricycle, velocipede, motor-cycle, motor-tricycle, motor delivery wagon, or motor vehicle, however propelled, or any vehicle drawn by horses or other animals, recklessly or negligently, or at a speed or in a manner so as to endanger, or to be likely to endanger, the life or limb or property of any person. A rate of speed exceeding 15 miles per hour shall constitute prima facie evidence of a prohibited rate of speed and manner of driving, and a violation of the provisions of this section; a rate of speed exceeding 20 miles per hour shall constitute a prohibited rate of speed and manner of driving, and a violation of the

provisions of this section, and a rate of speed exceeding 25 miles per hour, on parkways in the outlying sections of the parks of the boroughs of The Bronx, Richmond, and Queens, shall constitute a prohibited rate of speed and manner of driving, and a violation of the provisions of this section. When an officer on duty shall direct, by gesture or otherwise, that the speed of an animal or vehicle shall be checked, or that it shall be stopped, or its course altered, such direction shall be immediately obeyed. No horse or other beast of burden, nor any automobile, shall be driven or suffered to stand anywhere except on the drive or bridle path. On all driveways and parkways where grass plots divide the way, all vehicles and horse-men must keep on the right hand drive or bridle path.

§31. Vehicles obstructing assemblies. No owner or operator of a motor-cycle, automobile or horse-drawn vehicle shall stop near any of the music stands or other places, in or about a park, parkway, plaza, concourse, circle or square, where any considerable number of persons are accustomed to congregate, or where such motor-cycles, automobiles or vehicles would be a source of danger to life and limb, except by permission of the commissioner.

§32. Towing vehicles. No vehicle of any kind, in tow of another vehicle or machine, shall be allowed to enter any park or to proceed along any parkway, but, in case of break-down within a park or parkway, the disabled vehicle may be towed to the nearest point of exit.

§33. Restrictions on certain vehicles. 1.

Hearses. No hearse, or other vehicle or person carrying the body of a dead person, shall enter or be allowed in any part of a park, except by permit.

2. *Public carriers.* No public omnibus or express wagon, and no wagon, cart or other vehicle, carrying or ordinarily used to carry merchandise, goods, tools or rubbish shall enter such public parks, parkways, squares or places except upon traffic roads provided for the purpose, without a permit.

3. *Fire apparatus.* No fire engine or other apparatus on wheels for extinguishing fire shall enter or be allowed upon any part of the park, except the transverse and traffic roads.

§34. Public hacks, cabs and automobiles. 1.

Special permits. No automobile, stage or other vehicle shall be allowed to carry passengers for hire over or upon any park or parkways, except upon traffic roads, without a permit.

2. *Awaiting fares.* No vehicle for hire shall stand within a park, parkway or park-street for the purpose of taking up passengers, other than those whom it has brought in, without a permit.

3. *Soliciting passengers.* All drivers or attendants of vehicles for hire, standing upon or within any park, parkway or park-street, shall remain in close proximity to their vehicles while so standing, and no person shall in any way solicit a passenger for any vehicle for hire in any park, parkway or park-street.

§35. Carriers of offensive refuse or heavy materials. No garbage, ashes, manure or other offen-

7. *Crossing roadway.* Pedestrians must not

§41. Coney Island cycle-paths. 1. *Reserved*

§42. Instruction in driving motor vehicles or bicycles. Instruction in operating automobiles, motor cycles, bicycles, tricycles, velocipedes or other vehicles of propulsion, is prohibited in parks and parkways at all times.

§60. General provisions. 1. *Jurisdiction.* Each commissioner may grant permits for the erection and maintenance of projections on any park or parkway, within his jurisdiction, and on all streets and avenues within a distance of 350 feet from the outer boundaries thereof, upon such terms and conditions and upon the making of such compensation to the city as in his discretion

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5. *Sub-surface construction.* No vault or other construction below the sidewalk shall be built except in such manner as shall leave the sewers,

gas and water pipes, or space proposed to be occupied by the same, free and uninclosed and in safe condition, nor in any case to extend in the clear beyond the curb line.

§63. Ocean Parkway. 1. Veranda, porch, piazza or portico projections beyond courtyard restriction line. All applications for projections of verandas, porches, piazzas, etc., beyond the thirty (30) foot restriction line of Ocean Parkway shall be accompanied by blue prints of plan of proposed projection, drawn to a scale of one-quarter ($\frac{1}{4}$) of an inch to the foot, showing restriction line, lot lines, plan and section or plan and elevation of projection. The projection shall not exceed fifteen (15) feet beyond the restriction line at any point, and shall be of open construction, with roof supported by columns or piers.

§64. Restricted areas on Ocean Parkway, Eastern Parkway and Plaza Street. The restricted areas on these parkways shall be reserved strictly for the purposes set forth in the respective laws governing same and shall not be used temporarily or permanently for any of the following purposes: advertising signs, contractors' tool houses or shanties, disposal of garbage, refuse, rubbish or other waste materials, dumping ground for filling material, garage buildings, news-stands, gasoline stations, moving picture houses or purveying stands. No use or occupancy of any nature whatsoever shall be made of these restricted areas without a permit having been previously secured from the commissioner of parks having jurisdiction.

Section 70. Trees and shrubs in streets.

71. New York Botanical Garden.

§70. Trees and shrubs in streets. 1. *Planting.* No shade or ornamental tree, or shrub, shall be planted in any street until a permit has been granted by the commissioner having jurisdiction. No hole or excavation shall be prepared for planting any tree or shrub, unless sufficient mould of satisfactory quality shall be used, and the conditions, such as the absence of poisonous gas and deleterious substances, have been made satisfactory.

2. *Cutting, breaking or disturbing.* No stem, branch or leaf of any such tree or shrub shall be cut, broken or otherwise disturbed, nor shall the root of any such tree or shrub be disturbed or interfered with in any way, by any individual or any officer or employee of a public or private corporation, until a permit shall have been issued therefor. The surface of the ground within 3 feet of any such tree or shrub, shall not be cultivated, fertilized, paved or given any treatment whatever, except under a permit.

3. *Misuse.* No person shall cut, deface, mutilate or in any way misuse any such tree or shrub, nor shall any horse or other animal be permitted to stand in a manner or position where it may cut, deface or mutilate the same. No building mate-

roll, or other material or debris of any kind, shall be piled or maintained against any tree or shrub. No guy rope, cable or other contrivance shall be attached to any tree or shrub, nor shall any tree or shrub be used in connection with any banner, transparency or any business purpose whatever, except under a permit.

§71. New York Botanical Garden. All provisions of this chapter, respecting the government of parks, shall be applicable to the New York Botanical Garden; provided, that in any case in which the commissioner is authorized to issue a permit for the exercise of a park privilege, the permit, if authorizing the exercise of such a privilege in the New York Botanical Garden shall be recommended or approved by the Director-in-Chief of the Garden.

REGULATIONS OF BRONX ZOOLOGICAL PARK.

Admission.

1. The Zoological Park will be open to the public every day in the year. From April 15th to October 15th, the gates will be open at 9 a. m., and from October 16th to April 14th at 10 a. m. The park will be closed to incoming visitors, half an hour before sunset throughout the year.

2. On Mondays and Thursdays, except when either of those days fall on a legal holiday, all persons who are not members of the Zoological Society, or are not provided with member's tickets, shall pay for each adult 25 cents admission, and

5. No cameras or other photographic apparatus will be allowed in the Zoological Park, except upon written permit from the Society. Such permits may be issued to animal painters and sculptors, and to reporters regularly employed by newspapers, under proper rules and restrictions. No such permits will be granted under any circumstances for use on Sundays or public holidays.

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7. All wagons, carts and automobiles delivering supplies must enter at the Service Entrance, on the Southern Boulevard, at 185th Street.

Conduct.

8. No disorderly or intoxicated persons will be allowed within the Zoological Park under any circumstances. The use of abusive or insulting language to any of the employees of the Park shall be sufficient cause for the expulsion from the Park of the offender, or arrest for disorderly conduct. This rule will be strictly observed as the employees of the Society are under strict orders to act courteously towards the public.

9. All visitors are strictly forbidden to feed any animals in the Zoological Park, except the wild squirrels; or to throw anything whatsoever into any animal cage or enclosure, to tease, annoy, molest, frighten, to cause injury in any manner to any animal or bird in the Zoological Park, whether confined or otherwise.

10. All visitors and all members of the Zoological Park force are strictly forbidden to bring intoxicating liquors, including beer, into the Zoological Park, or to sell, or otherwise dispose of, such liquors in the Park. This prohibition shall not apply to cordials and spirits that may be ordered by the medical officer of the Zoological Park staff for strictly medicinal purposes.

11. It is strictly forbidden to bring unshelled peanuts into the Zoological Park, or to throw peanut shells upon any walk or lawn.

12. It is strictly forbidden to throw or deposit any waste paper, nut shells, fruit refuse, luncheon boxes, newspapers or any rubbish of any kind upon any walk, lawn, beach or ground in the Zoological Park. All rubbish and refuse must be deposited in the receptacles provided to receive it.

13. Visitors are strictly forbidden to climb over guard rails, fences, or guard wires, to enter places not open to visitors, or in any manner expose themselves to personal danger in the Zoological Park.

14. No one shall cut, pluck, break, remove or in any manner injure any of the trees, shrubs, plants and flowers of the Zoological Park, nor remove any soil, nor dump any refuse on Park Grounds.

15. Fishing in any of the ponds, lakes and water courses of the Zoological Park, and collecting living animals of any kind, vertebrate or invertebrate or botanical specimens, are prohibited.

16. Roller skating and ball playing in the Zoological Park are forbidden.

17. Skating on Bronx Lake is at all times forbidden, except when the Zoological Park safety signal is displayed.

18. All persons using rowboats are forbidden to stand up while boating, to pass each other standing up, or purposely to rock any boat.

19. Hawking and peddling in the vicinity of any of the Zoological Park entrances along the Boston Road, or anywhere on the grounds, or

along the boundaries of the Zoological Park, fenced or unfenced, is strictly forbidden.

20. No poles shall be erected for the purpose of carrying overhead wires for the transmission of electric current, upon any street or road passing through the Zoological Park.

Lost and Found.

21. All lost articles or lost children shall be taken without delay to the office of the Chief Clerk, and for all "found" articles that are turned in receipts will be furnished by the Chief Clerk.

Penalty.

22. Any person who violates any of the above rules will be liable to arrest, fine, and imprisonment.

All ordinances or parts of ordinances heretofore adopted affecting the parks, parkways and public places of The City of New York under the jurisdiction of the Department of Parks inconsistent with or in conflict with the ordinances above set forth are hereby repealed.

CABOT WARD, President,
THOMAS W. WHITTLE,
RAYMOND V. INGERSOLL,
JOHN E. WEIER,

Commissioners of Parks of The City of New York.

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Birmingham, Ala. --- Ordinances

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CHAPTER XLIV

Parks and Public Places

Sec. 1542. **All Parks Dedicated to Public Use.** All the parks heretofore marked out and dedicated to the city, and all public parks hereafter acquired by the city shall be and remain set apart and dedicated to the use of the public as parks and public grounds, and the same shall be regulated and governed in such manner as the Commission may from time to time ordain.

Sec. 1543. **For the Protection of Parks.** Any person who wilfully or maliciously breaks, cuts, disfigures, injures or destroys any tree, shrub, plant or flower within the enclosure of any of the public parks of the city, or any railing, structure or monument therein, or who shall hitch any horse or animal to any tree or shrub therein, shall, on conviction, be fined not less than one nor more than one hundred dollars.

Sec. 1544. **Conduct in Parks.** No person shall enter or leave any of the public parks of the City of Birmingham except by the gateways; no person shall climb or walk upon the walls or fences thereof; no person shall turn or lead any cattle, horses, goat, swine or other animals into any of such parks; no person shall carry fire-arms or throw stones or other missiles within any of such public parks; no person shall expose any article or thing for sale within any of such parks, nor shall any hawking or peddling be allowed therein; no threatening, abusive, insulting or indecent language shall be allowed in any part of any of such parks calculated to provoke a breach of the peace, nor shall any person tell fortunes or play at any game of chance at or with any table or instrument of gaming nor commit any obscene or indecent act there-

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in; no person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within any such park nor upon any gate or enclosure thereof; no person shall play upon any musical instrument, nor shall any person take into, carry or display in any such public park any flag, banner, target or transparency; no military company shall parade, drill or perform therein any military or other movements; no person shall light, make or use any fire in any such public park; no person shall go upon the grass, lawn or turf of the parks, except when and where the word "common" is posted, indicating that persons are at that time and place at liberty to go on the grass.

Sec. 1545. **Commission May Close Entrances.** The Commission may direct that any of the entrances to the public parks be closed at any time, and when so closed in obedience to such directions no person shall enter at any such place.

Sec. 1546. **Obstructions on Plats Along Public Streets.** It shall be unlawful for any person in possession of any lot or parcel of ground abutting on any public highway in the City of Birmingham to erect, maintain or permit any other person to erect or maintain or to continue or fail to remove within a reasonable time after notice or knowledge of the presence thereof of any wire, chain, rope or other obstruction or guard on any grass plat or parkway on any public highway in the City of Birmingham, unless such guard or obstruction shall conform to the following specifications, to-wit: The upright posts or stakes shall be made of dressed lumber four inches square and shall extend above the ground not less than three feet and shall be painted white. The cross bar shall consist of some rigid material and may be made either of iron pipe, an iron bar or a wooden bar which shall be placed at a height of not less than three feet above the surface of the ground and such bar or pipe shall also be painted white and shall be securely fastened to the said stakes or posts, which stakes shall be firmly placed in the ground and not more than eight feet apart.

Sec. 1547. Guards or Stakes Not to be Placed Within Six Inches of Paved Sidewalk. No guards or stakes shall be placed on any grass plat or parkway on any public highway in the City of Birmingham within six inches of the paved portion of the sidewalk.

Sec. 1548. Agents, Tenant and Owner Charged With Removing Obstructions. The owner of the abutting property, as well as the person in possession thereof, whether as agent, tenant or owner, shall be under the duty of removing all guards or obstructions from said parkways or grass plats which do not conform to the foregoing specifications.

Sec. 1549. Names of Parks. The various parks and public places owned by the city shall be named and known as follows: Avondale Park, Behrens Park, Caldwell Park, Capitol Park, East Park, Ensley Park, Halls Park, Idlewild Park, Lakeview Park, Linn Park, Magnolia Park, Mineral Wells and Reservoir Park, North Birmingham Park, North Haven Park, Phelan Park, Rhodes Park, West Park, Woodlawn Park, Woodward Park.

CHAPTER XLV

Pawnbrokers

Sec. 1550. Definition. Pawnbroker under this chapter is and shall be defined to be one whose business it is to lend money upon a pawn or pledge.

Sec. 1551. Shall Keep Register of Pawns. It shall be the duty of each person in business in the City of Birmingham as a pawnbroker to keep at his place of business a book in which he shall enter, or cause to be entered in writing, a minute description of all personal

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No. 666, A.]

[Published July 16, 1917.]

CHAPTER 668

AN ACT to repeal sections 62.04 to 62.58, inclusive, and sections 4562d, 4567b, and 4567c; to create a new chapter to be numbered 29, and sixty-four new sections thereof, to be numbered 29.01 to 29.63, inclusive; to amend sections 4567d and 4567f; and to create sections 4562d and 172—41, relating to wild animals, and the regulation of the enjoyment, disposition and conservation thereof, prescribing penalties, and creating a conservation fund.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 62.04 to 62.58, inclusive, and sections 4562d, 4567b, and 4567c of the statutes are repealed.

SECTION 2. A new chapter is added to the statutes, to be numbered and entitled as follows: "CHAPTER 29. WILD ANIMALS, AND THE REGULATION OF THE ENJOYMENT, DISPOSITION AND CONSERVATION THEREOF."

SECTION 3. Sixty-four new sections are added to the statutes, to be inserted in chapter 29, and to be numbered and to read:

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GENERAL CONTROL AND REGULATION

29.01 GENERAL DEFINITIONS. The following terms, wherever used in this chapter, shall be construed to apply as follows:

(1) Wild animal. "Wild animal" means any mammal, bird, fish, or other creature of a wild nature endowed with sensation and the power of voluntary motion.

(2) Carcass. "Carcass" means the dead body of any wild animal to which it refers, including the head, hair, skin, plumage, skeleton, or any other part thereof.

(3) Game; game fish; rough fish. "Game" includes all varieties of mammals or birds for which, at any time of the year anywhere within the state, a close season is prescribed in or pursuant to this chapter; "game fish" includes all varieties of fish except rough fish; and, until the state conservation commission otherwise determines "rough fish" includes chubs, dace, suckers, carp, red horse, sheephead, celpout, dogfish, garfish, buffalo fish, and lawyers, in all waters, and pickerel in lakes Winnebago, Winneconne, Poygan, Big Butte des Morts, Little Butte des Morts, and in the Fox river in Winnebago county.

(4) Waters classified. All waters within the jurisdiction of the state are classified as follows: Lakes Superior and Michigan and the harbors and bays immediately connected therewith, Green Bay, Sturgeon Bay, Sawyer's Harbor, and the Fox river from its mouth up to the dam at De Pere are "outlying waters." All other waters are "inland waters."

(5) Hunting. "Hunt" or "hunting" includes shooting,

shooting at, pursuing, taking, catching, or killing of any wild animal or animals.

29.02 TITLE TO WILD ANIMALS. (1) The legal title to, and the custody and protection of, all wild animals within this state is vested in the state for the purposes of regulating the enjoyment, use, disposition, and conservation thereof.

(2) The legal title to any such wild animal, or carcass or part thereof, taken or reduced to possession in violation of this chapter, remains in the state; and the title to any such wild animal, or carcass or part thereof, lawfully acquired, is subject to the condition that upon the violation of any of the provisions of this chapter relating to the possession, use, giving, sale, barter, or transportation of such wild animal, or carcass or part thereof, by the holder of such title, the same shall revert, ipso facto, to the state. In either case, any such wild animal, or carcass or part thereof, may be seized forthwith, wherever found, by the state conservation commission or its deputies.

29.03 PUBLIC NUISANCES. The following are declared public nuisances:

(1) Any net of any kind, or other device, trap, or contrivance for fishing operated without a license or without a metal tag as required by law; or set, placed, or found in any waters where the same is prohibited to be used, or in a manner prohibited by law.

(2) Any unlicensed set line, cable, rope, or line, with more than one fish line attached thereto; or any licensed set line set, placed, or found in any waters where the same is prohibited to be used, or in a manner prohibited by law; or any fish line left in the water unattended, whether having one or more hooks attached.

(3) Any screen set in public waters to prevent the free passage of fish, or set in any stream which has been stocked by state authorities.

(4) Any building, enclosure, structure, or shelter placed, occupied, or used on the ice of any waters in violation of this chapter.

(5) Any unlicensed trap, snare, spring gun, set gun, net or other device or contrivance which might entrap, ensnare, or kill game; or any trap without a metal tag attached as required by law.

(6) Any boat, together with its machinery, sails, tackle and equipment, or any lamp, light, gun, pivot gun, swivel gun, or other firearm used in violation of this chapter; or any boat,

floating raft, box, or blind set in open water and used in hunting game birds.

(7) Any decoys set in any water during the close season for waterfowl, or in excess of the number authorized to be used, or more than two hundred feet from the weeds, rushes, or other vegetation in which the hunter is concealed; and any decoys left in the water unattended.

(8) Any dog found running deer at any time, or used in violation of this chapter.

(9) Any ferret, rat, weasel, or guinea pig in possession or used while hunting.

29.04 (1) **ABANDONED DAMS.** The state conservation commission may remove or cause to be removed, in such manner as they may deem fit, old and abandoned dams in streams in the state of Wisconsin, upon giving sixty days' notice in writing to the owner thereof, if he can be found. If the owner of such dam be unknown or cannot, by due diligence, be found, the commission shall publish notice once each week for four successive weeks in some newspaper published in the county in which such dam is situated.

(2) Whenever the conservation commission shall determine that the conservation of any species or variety of wild animals will be promoted thereby, the commission is authorized to maintain and repair any dam located wholly upon lands the title to which is in the state either as proprietor or in trust for the people; subject, however, to the powers of the railroad commission to fix the level and regulate the flow of the public waters.

29.05 **POLICE POWERS; SEARCHES; SEIZURES.** (1) **Arrests.** The state conservation commission and its deputies are hereby authorized to execute and serve all warrants and processes issued by any justice of the peace or police magistrate or by any court having jurisdiction under any law relating to wild animals, in the same manner as any constable may serve and execute such process; and to arrest, with or without a warrant, any person detected in the actual violation, or whom such officer has reasonable cause to believe guilty of the violation of any of the provisions of this chapter, and to take such person before any court and make proper complaint.

(2) **Investigations.** Such officers shall, upon receiving notice or information that any provision of this chapter has been violated, as soon as possible make a thorough investigation thereof, and cause proceedings to be instituted if the proofs at hand warrant it.

(3) **Search warrants.** Upon complaint made to any magis-

trate who has authority to issue warrants in criminal cases, by any person that he knows or has good reason to believe that any wild animal, or carcass or part thereof, caught, taken, killed, or had in possession contrary to the provisions of this chapter, is concealed in any particular house or place, the magistrate shall examine such complainant on oath, reduce his complaint to writing, describing as particularly as may be the place where said wild animal, or carcass or part thereof, is alleged to be concealed, and cause the same to be subscribed by the person complaining. If it appears to the magistrate that there is reasonable cause to believe that the facts alleged in said complaint are true he shall immediately issue his warrant, reciting therein the substance of the complaint and the description of the premises described therein, and requiring the officer to whom it is directed to forthwith search such premises and seize any such wild animal, or carcass or part thereof, and bring the same when found, and the person in whose possession the same is found, before the magistrate who issued the warrant, or before some other magistrate or court having jurisdiction of the case. The officer executing such warrant shall state in his return, as particularly as may be, the property seized, which shall be safely kept under the direction of the court or magistrate so long as necessary for the purpose of being used as evidence on any trial; and if such trial results in a conviction, the property so seized shall be confiscated.

(4) Opening packages. The state conservation commission and its deputies may examine and open any packages in the possession of a common carrier which they suspect or have reason to believe contains contraband wild animals, or carcasses or parts thereof, or is falsely labeled in violation of the provisions of this chapter; and every such common carrier, and every agent, servant, or employe thereof, shall permit any such officer to examine and open any such package. Any package so opened shall be restored to its original condition.

(5) Access to storage places. They shall be permitted by the owner or occupant of any cold storage warehouse or building used for the storage or retention of wild animals, or carcasses or parts thereof, to enter and examine said premises; and the said owner or occupant, or his agent, servant, or employe, shall deliver to any such officer any wild animal, or carcass or part thereof, in his possession during the close season therefor, whether taken within or without the state.

(6) Seizure and confiscation of game, or game fish. They shall seize and confiscate in the name of the state any wild

animal, or carcass or part thereof, caught, killed, taken, had in possession or under control, sold or transported in violation of this chapter; and any such officer may, with or without warrant, open, enter and examine all buildings, camps, vessels or boats in inland or outlying waters, wagons, automobiles or other vehicles, cars, stages, tents, suitcases, valises, packages, and other receptacles and places where he has reason to believe that wild animals, taken or held in violation of this chapter, are to be found; but no dwelling house or sealed railroad cars shall be searched for the above purposes without a warrant.

(7) Seizure and confiscation of property. They shall seize and forthwith confiscate or destroy any apparatus, appliance, or device declared by any provision of this chapter to be a public nuisance; and shall seize and hold subject to the order of the commission, any other apparatus, appliance, or any vehicle, or device, which they shall have reason to believe is being used in violation of this chapter, and if it be proven that the same is, or has been within six months previous to such seizure, used in violation of this chapter the same shall be confiscated.

(8) Entire shipment affected. Confiscation of any part of a shipment under this section shall include the entire shipment.

(9) Exemption from liability. Each commissioner and each deputy conservation warden, in the performance of his official duties, shall be exempt from any and all liability to any person for acts done or permitted or property destroyed by authority of law; and in any action brought against any such commissioner or warden personally, arising from alleged excess of his authority, the taxable costs awarded to either party shall include a reasonable attorney's fee, to be fixed by the court, provided the party has appeared therein by an attorney of a court of record.

29.06 SALES OF CONFISCATED GAME AND APPARATUS. (1) All confiscated wild animals, or carcasses, or parts thereof, and all confiscated apparatus, appliances, or devices shall, if not destroyed as authorized by law, be sold at the highest price obtainable, by the state conservation commission or its deputies, or by an agent on commission under the written authority and supervision of the state conservation commission or its deputies. The net proceeds of such sales, after deducting the expense of seizure and sale and any such commissions, shall be promptly remitted by the warden by whom or under whose authority and supervision the sales are made, to the state conservation commission and by it paid into the state treasury; the remittance to be accompanied by a complete and certified

report of such sales, supported by proper vouchers covering all deductions made for expenses and commissions, to be filed for record in the office of the state conservation commission.

(2) On any such sales of wild animals, or carcasses or parts thereof, the warden or agent selling them shall issue to each purchaser a certificate, on forms to be prepared and furnished by the state conservation commission, covering such sales. The animals, or carcasses or parts thereof, so purchased shall be consumed or otherwise disposed of by the purchaser within five days thereafter, but shall not be resold, bartered, or exchanged, in whole or in part, to any other person, except as provided in subsection (3).

(3) Confiscated fish or game sold to the keeper, manager, or steward of any restaurant, club, hotel, or boarding house may be served to the guests thereof; but in such case the certificate covering the purchase shall be hung in public view in the place where the fish or game is served, and such fish or game shall at the time of sale be tagged by the warden or agent selling it, such tag to show the date of sale and be returned to said warden or agent within five days thereafter.

29.07 ASSISTANCE OF POLICE OFFICERS. All sheriffs, deputy sheriffs, coroners, and other police officers are ex officio deputy conservation wardens, and shall assist the state conservation commission and its deputies in the enforcement of this chapter whenever notice of a violation thereof is given to either of them by the commission or its deputies.

29.08 INTERSTATE COMITY. (1) Whenever and so long as any other state confers upon the officers of this state reciprocal powers, any officer of such other state, who is by the laws of said state authorized or directed to enforce the laws of said state relating to the protection of wild animals, is hereby designated an agent of said state within this state. It shall be lawful for said officer to follow any wild animal, or carcass or part thereof unlawfully shipped or taken from his state into this state, seize and convey the same back to his own state; and so far as concerns any such wild animal, or carcass or part thereof, the laws of the state from which the same was brought into this state are hereby adopted as the laws of this state. Transportation companies shall deliver to such officer, upon submission of proper proof of his official capacity, any wild animal, or carcass or part thereof, so demanded or seized by him. Said officer may dispose of any such wild animal, or carcass or part thereof, within this state, in accordance with the laws of the state from which the same was taken or shipped, under the

supervision of any conservation commissioner or deputy conservation warden of this state, whose expenses for his assistance shall be a lien upon such wild animal or carcass or part thereof, or the proceeds thereof.

(2) Except as provided in subsection (1), the state conservation commission or its deputies shall seize, hold and dispose, according to the laws of this state, of any wild animal, or carcass or part thereof, brought or shipped into or through this state, or attempted to be carried through this state, in violation of the laws of any other state.

(3) The state game warden of every other state, and his deputies and all other officers therein charged with the enforcement of the laws relating to wild animals are hereby designated agents of this state for the taking possession, seizing, holding and disposing, within such state, of any wild animal, or carcass or part thereof, protected by the laws of this state.

(4) Whenever and so long as any other state confers upon the officers of this state reciprocal powers, the state conservation commission is hereby authorized to appoint persons who shall have been appointed game wardens or deputy game wardens of such other state to act as and have all the powers of deputy conservation wardens of this state, but without compensation from this state.

GAME LICENSES

29.09 GENERAL PROVISIONS. (1) Hunting, trapping or fishing without a license prohibited. Except as expressly provided, no person shall hunt, trap or fish any game or game fish unless a license therefor has been duly issued to him which shall be carried on his person at the time and shall be exhibited to the state conservation commission or its deputies on demand. Such licenses shall be issued only to persons, and not more than one of the same series to the same person in any year. No licensee shall transfer his license or deer tag to or permit the use thereof by any other person, nor shall any person while hunting, trapping or fishing use or carry any license, or guide's badge, issued to another. No hunting license shall be issued to any person who is less than fifteen years of age; nor to any person who is not a citizen of the United States, except as provided in section 29.11. Indians hunting, fishing or trapping off Indian reservation lands are subject to all provisions of this chapter.

(2) Form of application. The application for such license shall state the residence and post-office address of the applicant, a description of his person, and such other facts, showing him

to be entitled to the license for which he applies, as may be required by the commission, and shall be verified by the affidavit of the applicant; but no written or verified application shall be required for any hook and line fishing license. Each such application shall be accompanied by the license fee prescribed for the license applied for.

(3) Form of license. Each license shall state for what year the same is issued and the date of expiration, and except as otherwise provided shall be effective only from the first day of May until the next succeeding thirtieth day of April, subject to the conditions, limitations and restrictions prescribed in this chapter. Each license issued shall further **state the name and** residence of the licensee, a description of his person, and such other matter as may be determined by the commission; shall bear upon its face a true signature of the licensee; and shall be signed by the officer who issues it.

(4) Duplicates. Whenever any such license is lost the person to whom the same was issued may present to the commission an affidavit proving such loss, together with a fee of fifty cents, whereupon the latter shall issue a duplicate license to such person.

(5) Supply of blanks. The commission shall **prepare, procure** the printing of, and supply all necessary blanks for such licenses and applications. The licenses shall be numbered consecutively, at the time of printing, in a separate series for each kind of license; and each license blank shall be provided with a corresponding stub numbered with the serial number of the license. Each requisition for the printing of such license blanks shall specify the serial numbers thereof.

(6) Licenses issued by county clerk. Of each license issued by a county clerk he shall retain the stub for record in his office. He shall also keep an alphabetical index of the names of all persons to whom he issues licenses, such names to be entered therein at the time the licenses are issued. The state conservation commission or its deputies may at any time examine such records.

(7) Return of fees by county clerk. Of the fees paid for such licenses the county clerk may retain ten per cent as compensation for his services to the state; the remainder he shall return to the state conservation commission on the first day of each month, with a report of the number of licenses issued by him during the preceding month and the amount of money thus remitted. All stubs of licenses issued and all unused license blanks shall be returned by the county clerk to the commission at the close of the year for which they are supplied.

(8) Record of licenses issued. A complete record of all licenses issued shall be kept by the commission, which shall also be accountable for all unused license blanks.

29.10 RESIDENT HUNTING LICENSES. Resident hunting licenses shall be issued subject to the provisions of section 29.09, by the county clerks of the several counties upon blanks supplied to them by the state conservation commission, to residents of each such county duly applying therefor who have resided in this state for at least one year next preceding the application. The fee for each such license is one dollar. Such license does not grant the privilege of hunting deer unless the licensee is in possession of a deer tag numbered to correspond with his license, which shall be issued to him by the state conservation commission on application and the payment of an additional fee of ten cents. The commission may cause such tags to be issued through agents, but no commission to be allowed for the sale of such tags.

29.11 SETTLERS' HUNTING LICENSES. Settlers' hunting licenses subject to the provisions of section 29.09 may be issued by the state conservation commission in its discretion, to actual settlers in this state duly applying therefor who have resided in this state less than one year next preceding the application. A bona fide settler shall be a person who has either purchased or rented, or has negotiations in progress to purchase or rent residence property in Wisconsin and who has moved to and settled in this state. Such licenses shall be in substantially the same form, subject to the same conditions and restrictions, and entitle the holder to the same rights, privileges and immunities as a resident hunting license. No nonresident hunting license shall be issued in the same year to any person to whom a settlers' hunting license has been issued, and no settlers' hunting license to any holder of a nonresident hunting license.

29.12 NONRESIDENT HUNTING LICENSES. (1) Nonresident hunting licenses shall be either general or limited, and shall be issued by the state conservation commission, subject to the provisions of section 29.09, to persons duly applying therefor who are not residents of this state or who have resided therein less than one year next preceding the application. The fee for each such general license is fifty dollars, and for each such limited license twenty-five dollars.

(2) Each such general license shall extend to the hunting of all wild animals during the open season therefor, respectively, and shall be accompanied by a deer tag, numbered to correspond with the license and to be supplied without additional fee.

(3) Each such limited license shall extend to the hunting of all wild animals during the open season therefor, respectively, except deer. The holder of such limited license may at any time before its expiration surrender the same for cancellation, and in lieu thereof, upon payment of an additional fee of twenty-five dollars, the commission shall issue to him a general license as prescribed in subsection (2).

29.13 TRAPPING LICENSES. (1) Trapping licenses, which shall authorize the use of traps for trapping fishers, martens, minks, muskrats, raccoons, and skunks, shall be issued by the state conservation commission, subject to the provisions of section 29.09, to persons duly applying therefor who have resided in this state for at least one year next preceding the application. The fee for each such license is one dollar.

(2) All shipments of hides must be marked showing the number and kinds of hides in the package, the name and address of the shipper, and the number of his trapping license.

(3) On or before June first next after the expiration of his license, such licensee shall report to the state conservation commission, by affidavit, on blanks furnished by the commission, the number of his license, the number and value of each variety of animals taken, and such other information as may be required on the blanks furnished.

29.14 HOOK AND LINE FISHING LICENSES. (1) Any person, other than nonresident males over the age of sixteen years, may without a license take, catch or kill with hook and line fish of any variety, subject to all other conditions, limitations and restrictions prescribed in this chapter.

(2) Any male nonresident over the age of sixteen years shall have the rights of a resident to take, catch or kill fish of any variety with hook and line in outlying waters; but not in inland waters unless a license has been duly issued to him, subject to the provisions of section 29.09, by the state conservation commission. Each such license shall be provided with three coupons each of which shall entitle the licensee to make one shipment of game fish as provided in section 29.47, but no more. One coupon shall be attached to each shipment so made. The agent of any common carrier who shall accept any such shipment without a coupon attached shall be guilty of a violation of this chapter and shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars. The fee for each such license is one dollar. The commission may cause such licenses to be issued through agents for a compensation of ten per cent of the license fees collected therefor; but no such

compensation shall be paid to any of its regular deputies or other employees.

29.15 OTHER LICENSES. Guiding licenses, net and set line licenses, and clamming licenses, shall be issued by the state conservation commission as provided in subsection (3) of section 29.22 and sections 29.33, 29.34, 29.35, 29.36, 29.37 and 29.38, respectively.

29.16 INTERSTATE LICENSE PRIVILEGES. Whenever and so long as the states of Minnesota or Iowa confer upon the licensees of this state reciprocal rights, privileges and immunities, any hook and line or other fishing license, or clamming license issued by such other state shall entitle the licensee to all the rights, privileges and immunities, in and upon the boundary waters between such state and this state, enjoyed by the holders of equivalent licenses issued by this state; subject, however, to the duties, responsibilities and liabilities imposed on its own licensees by the laws of this state.

29.17 CERTIFICATES TO SCIENTISTS. (1) The state conservation commission may grant, on satisfactory testimonials of well-known scientists only, a certificate to any member of an incorporated society of natural history, or to any professor of any university, school or college, or to any person properly accredited by any such institution, or to any custodian of a public museum, authorizing such person or institution to collect for scientific purposes only, any nests, eggs, or wild animals, except deer. Such specimens may be transported by any common carrier; but no person to whom such certificate is issued shall dispose of any such specimen except in exchange for scientific purposes. All such certificates shall expire on the first day of January following the date of their issue, and shall not be transferable.

(2) The application for such certificate shall be made upon blanks to be furnished by the state conservation commission, shall be accompanied by a fee of two dollars, and the applicant shall execute and deliver to the state conservation commission a bond running to the state of Wisconsin, in the sum of one hundred dollars, with two sureties, and conditioned that if the applicant shall well and faithfully observe and comply with all the requirements of this section, and the certificate issued thereunder, said obligation to be null and void, otherwise to remain in full force. Each said surety shall be worth and qualify in at least the sum of one hundred dollars, over and above all his debts and liabilities, in property within this state not exempt from sale on execution.

(3) The certificate of any person convicted of a violation of this section shall be forfeited and revoked, and such convicted person shall not be entitled to another certificate for the period of one year from and after the date of such conviction.

CLOSE SEASONS

29.18 CLOSE SEASONS FOR WILD MAMMALS AND BIRDS. A close season is established for each variety of wild animals and birds listed in the following table, extending during all the time in each year except the period embraced within the dates, both inclusive, set opposite the name of each variety or each locality, respectively, in the column headed "Open Season"; and, except as expressly provided in this chapter, no person shall hunt or trap any such wild mammal or bird at any time other than the open season therefor, nor in the open season in excess of the number designated opposite each variety or each locality, respectively, in the column headed "Bag Limit," nor wild birds of more than one variety except a mixed bag limit of twenty each day in the open season, but containing not more than the bag limit of any one variety. Wild ducks and American coots or mudhens shall be deemed, collectively, as one variety:

Kind of Animal and Locality	Open Season	Bag Limit
(1) Moose, elk.....	None.....	
(2) Deer:		
(a) Any deer in the velvet, or in the red or blue coat, in any county.....	None.....	
(b) Any deer in the counties of Adams, Brown, Buffalo, Calumet, Columbia, Crawford, Dane, Dodge, Door, Dunn, Fond du Lac, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Manitowoc, Marquette, Milwaukee, Monroe, Outagamie, Ozaukee, Pepin, Portage, Racine, Richland, Rock, Sauk, Sheboygan, Vernon, Walworth, Washington, Waukesha, Waupaca, Waushara, and Winnebago.....	None.....	
(c) Any deer not specified in paragraph (a) in any county not specified in paragraph (b).....	Nov. 21 to Nov. 30, Nov. 10 to Dec. 1.....	One each year No limit
(3) Bear.....	None.....	
(4) Beaver, otter:		
(a) Beaver in Price, Rusk, and Sawyer counties as stipulated in subsection (5) of section 29.59.....	Dec. 1 to Dec. 31, 1917 & 1918..... Nov. 15 to Feb. 1.....	No limit No limit
(5) Fisher, marten, mink, skunk.....		
(6) Muskrat:		
(a) In the counties of Polk, Barron, Rusk, Price, Lincoln, Langlade, Forest, Marinette, Florence, Iron, Oneida, Vilas, Ashland, Washburn, Sawyer, Burnett, Douglas, Bayfield.....	Oct. 25 to April 20 Oct. 25 to April 10.....	No limit No limit
(b) In any other place.....		

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Kind of Animal and Locality	Open Season	Bag Limit
(7) Raccoon.....	Oct. 15 to Jan. 1.....	Five each day
(8) Squirrels of any variety.....	Oct. 15 to Jan. 1.....	Five each day
(a) In Dodge, Kenosha, Racine, Waukesha, Washington, Ozaukee, Milwaukee counties.....	None.....	
(9) Rabbit:		
(a) In Columbia, Crawford, Door, Grant, Iowa, Jackson, Juneau, Monroe, Outagamie, Pierce, Polk, Richland, Rusk, Sauk, Sawyer, Sheboygan, and Winnebago counties.....	All year.....	No limit
(am) In Dane county.....	Oct. 1 to Mar. 1.....	No limit
(b) In Dodge, Jefferson, Kenosha, Ozaukee, Racine, Walworth, Washington, and Waukesha counties.....	Nov. 1 to Jan. 1.....	Five each day
(c) In Clark, Green and Wood counties.....	Oct. 15 to Feb. 1.....	Ten each day
(d) In any other place.....	Sept. 7 to Feb. 1.....	No limit
(10) Wild swan.....	None.....	
(11) Wild goose, brant.....	Sept. 7 to Dec. 20.....	Ten each day
(12) Wild duck, including American coot or mudhen, but excepting wood duck.....	Sept. 7 to Dec. 10.....	Fifteen each day
(13) Wood duck, wood cock.....	None.....	
(14) Plover, snipe, rail, rice hen.....	Sept. 7 to Dec. 30.....	Fifteen each day
(15) Partridge or ruffed grouse, spruce hen.....	None until Oct. 1 to Nov. 1, 1919.....	Five each day
(16) Prairie chicken or pinnated grouse, sharp-tailed grouse.....	None until Sept. 7 to Oct. 1, 1919.....	Five each day
(17) Mongolian, Chinese, or English pheasant, Hungarian partridge.....	None.....	
(18) Quail or bobwhite.....	None.....	
(19) Crows, English sparrows, blackbirds, sharp-shinned hawks, Cooper's hawks, great horned owls.....	All year.....	No limit
(20) Song birds, and all other wild birds not specified above.....	None.....	

(Penalty \$50.00-\$100.00 plus \$5.00 for each bird.)

29.19 CLOSE SEASONS FOR HOOK AND LINE FISHING. A close season is established for each variety of fish listed in the following table, extending during all the time in each year except the period embraced within the dates, both inclusive, set opposite the name of each variety of each locality, respectively, in the column headed "Open Season"; and, except as expressly provided in this chapter, no person shall take, capture, or kill fish of any such variety with hook and line at any time other than the open season therefor, nor in the open season in excess of the quantity; or under the minimum length for each fish, designated opposite each variety or each locality, respectively, in the columns headed "Bag Limit". Such measurement of length shall be taken in a straight line from the tip of the nose to the utmost end of the tail fin.

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Kind of Fish and Locality	Open Season	Bag Limit	
		Quantity	Minimum length
(1) Large and small mouthed black bass, Oswego bass, green bass, and yellow bass, in Big Green Lake, Green Lake county.....	July 1 to Mar. 1	Ten each day.....	10 inches
(1a) In all other waters large and small mouthed black bass...	June 15 to Mar. 1	Ten each day... ..	10 inches
(1b) In all other waters Oswego bass, green bass and yellow bass.....	May 29 to Mar. 1	Ten each day.....	10 inches
(2) White bass:			
(a) In the Big Wolf river from Lake Poygan to New London.....	All the year.....	No limit.....	7 inches
(b) In all other waters.....	May 29 to Mar. 1	No limit.....	7 inches
(3) Strawberry bass, calico bass, silver bass, crappie, rock bass	All year.....	No limit.....	No limit
(3m) Rock bass:			
(a) In Green Lake county...	All year.....		
(b) In all other inland and outlying waters.....	May 29 to Mar. 1	Thirty each day....	6 inches
(4) Trout of any variety, except lake trout, in all waters.....	May 1 to Aug. 31	Thirty-five each day	7 inches
(5) Pike of any variety.....	May 29 to Mar. 1	Ten each day.....	13 inches
(6) Pickerel.....	May 29 to Mar. 1	Fifteen each day.....	16 inches
(7) Muskellunge.....	May 29 to Mar. 1	Two each day.....	24 inches
(8) Sturgeon, and the spawn, eggs and fry thereof.....	None.....		
(9) Catfish.....	May 29 to Mar. 1	Ten each day.....	15 inches
(a) On Mississippi river....	May 29 to Mar. 1	No limit.....	15 inches
(10) Bullhead.....	All year.....	30 lbs. each day.....	No limit
(11) Perch:			
(a) In counties bordering on the Mississippi river and in Lakes Winnebago, Butte des Morts and Poygan, Fox river and Wolf river and tributary streams within Winnebago county.....	May 29 to Mar. 1	No limit.....	No limit
(b) In all other waters.....	All year.....	No limit.....	No limit
(12) Sunfish: roach:			
(a) In counties bordering on the Mississippi river....	May 29 to Mar. 1	No limit.....	No limit
(b) In all other waters.....	All year.....	No limit.....	No limit

(Penalty \$50.00-\$100.00)

There shall be no close season for hook and line fishing, except for large and small mouthed black bass, sturgeon and trout, in any of the following described waters: In the waters of Juneau, Lafayette, and Green counties, except in the Wisconsin river between Juneau and Adams in the waters of lakes Winnebago in Fond du Lac, Calumet and Winnebago counties, in Buffalo lake, Marquette county, in Puckaway lake in Marquette and Green Lake counties, in Lake Poygan in Winnebago and Waushara counties in lakes Winneconne, Big and

Little Butte des Morts in Winnebago county, in the Fox river in Marquette, Green Lake, Waushara and Winnebago counties, in the Wolf river in Winnebago county and in Waupaca county as far as the city limits of New London, in the Rock and Crawfish rivers and Lake Koshkonong in Rock, Jefferson and Dodge counties. During the period from March 1 to May 28, both dates inclusive, live or dead minnows shall not be used for bait in any of the above waters specified in Jefferson county. The open season for hook and line fishing in the waters of the Mississippi river, except for large and small mouthed black bass, shall open on May 1.

29.195 There shall be no closed season except from the first day of March to the succeeding twentieth day of May for any fish, except trout, in Rush lake or in the streams flowing into said lake, situate in Fond du Lac and Winnebago counties, and fish therein may be taken in any manner, except with explosives, during the open season, except trout; provided, that no person shall have more than fifty pounds of such fish, taken from said Rush lake or said streams flowing into said lake, in his possession or under his control in any one day.

29.20 CLOSE SEASON FOR CRAWFISH AND FROGS. No person shall take, catch, or kill, in any waters of this state, or have in possession, any crawfish or crab of any variety between the first day of March and the next succeeding first day of July; or any frog from March 1 to May 1 of each year; but nothing in this section shall prevent any person from having frogs in his possession who is in the business of propagating frogs, or where the same are used for scientific or educational purposes.

CONSERVATION COMMISSION

29.21 POWERS OF COMMISSION. (1) The state conservation commission shall have power to issue orders determining in what manner, in what numbers, in what places and at what times the taking, catching, or killing of wild animals shall be inconsistent with the proper protection, propagation and conservation of fish, birds or mammals protected by law in this state, and the perpetuation of wild life. No such order providing protection or additional protection to any such wild animals shall be issued except upon petition filed with said commissioners, and after hearing thereon as hereinafter provided.

(2) Ten or more persons of any township or twenty-five or

more persons of any county, may file with the state conservation commission a petition signed with their names and addresses, requesting the granting of protection or additional protection within such county, to one or more species of wild animals designated in said petition. And such petition shall state the extent such protection or additional protection is desired and the grounds therefor. If after hearing the petitioners, the conservation commission shall determine to entertain the petition it shall order a public hearing to be held thereon within the town or county described in the petition, within twenty days from the filing of said petition. At least ten days prior to such public hearing notice thereof containing a brief statement of the grounds upon which application is made therefor, and the time and place of hearing shall be published in a newspaper having a general circulation in the district to be affected, and a copy of such notice shall be mailed to each petitioner, at the address given in the petition.

(3) If upon such hearing the conservation commission find and determine that the protection or additional protection requested, is necessary for the proper protection, propagation and conservation of the designated wild animals within the designated territory, the commission shall issue an order prohibiting or regulating during the open season therefor, the taking of any or all species of fish, birds or mammals within such territory. At least thirty days before the date fixed for such order to take effect, copies of the same should be filed in the office of the clerk for each county containing a district or any part of a district in which such order or regulation shall apply, and cause the same to be published in a newspaper having general circulation in the town, county or district in which such regulation shall apply, or to cause the same to be published by means of at least five large notices posted in or near public buildings or on the highways within said territory, and when the territory affected is less than a township in area, in conspicuous places on the boundaries thereof.

(4) Any order issued by the state conservation commission pursuant to this section shall have the force of law, and the penalties prescribed for violations of the provisions of this chapter shall follow and be applicable to violations of any such order, to the same effect and extent, respectively, as though such order had been enacted a part of this chapter.

METHODS OF HUNTING AND FISHING

29.22 GENERAL RESTRICTIONS ON HUNTING. (1) Prohibited methods. No person shall hunt game with any means other than the use of a gun held at arm's length and discharged from the shoulder; or place, spread or set any net, pitfall, snare, spring gun, pivot gun, swivel gun, or other similar contrivance for the purpose of catching, or which might catch, take or ensnare game; or use or have in his possession or under his control any ferret, rat, weasel, or guinea pig while hunting; and no person shall carry with him in any vehicle, any gun or rifle unless the same is unloaded, and knocked down or enclosed within a carrying case. No person while hunting or in possession of firearms shall have in possession or under control any light used for the purpose of shining deer.

(2) Possession of ferrets. No person shall have in his possession or under his control at any time any ferret unless a permit therefor has been issued to him by the state conservation commission; but such permit shall not authorize the use of any ferret for hunting game except in Door county.

(3) Guide licenses. No person shall engage, or be employed, for any compensation or reward, to guide, direct, or assist any other person in hunting, trapping, or fishing unless a license therefor, subject to the provisions of section 29.09, has been duly issued to him by the state conservation commission. The fee for each such license is one dollar. The applicant shall deliver to the state conservation commission a bond running to the state of Wisconsin, in the sum of two hundred dollars, with two sureties, and conditioned that if the applicant shall well and faithfully observe and comply with all the requirements of this chapter, and the guide license issued thereunder, said obligation shall be null and void, otherwise to remain in full force. But this subsection does not apply to the employment of labor by, or services rendered to, the licensee of any net fishing license.

(4) Guides as special deputies. Each licensed guide may be a special deputy conservation warden, appointed by the commission and shall execute the same oath of office and bond as required by regularly salaried wardens. Licensed guides may be employed for temporary service as a regular deputy conservation warden, for any period not exceeding fifty days in any one year, at a compensation to be fixed by the commission.

29.23 DEER HUNTING. (1) Prohibited methods. No

person shall hunt deer between one hour after sunset and one hour before sunrise, of the following morning; or in the water or on the ice of any stream, lake, or pond; or with a dog or dogs; or with the aid of artificial light; nor place any salt in any place for the purpose of enticing deer thereto, or construct, occupy, or use any elevated scaffold or other device for the purpose of hunting, watching for, or killing deer.

(2) Dogs in camps. During the period from November 10 to December 10, in the counties where there is an open season for deer, no person shall hunt any wild animal with a dog or dogs; nor have a dog or dogs in his possession or under his control in or about a hunting or logging camp, unless a permit therefor has been issued to him by the state conservation commission.

29.24 FUR-BEARING ANIMALS; METHODS OF TAKING. (1) No person shall hunt any fisher, marten, mink, or muskrat with the aid of any spear, gun, or dog, disturb or molest any raccoon den or tree for the purpose of capturing the raccoons, or any muskrat house, beaver house or beaver dam; or set any trap or traps at any time within five hundred feet of any beaver house or beaver dam.

(2) The owner or occupant of any land, and any member of his family may without license hunt thereon rabbits at any time, and squirrels during the open season therefor.

(3) Except as provided in subsection (2), no person shall have in his possession or under his control, or use, for hunting rabbits, any ferret, snare, trap, or any device or contrivance designed or used for the purpose of driving rabbits out of their holes or dens. The owner or occupant or any person upon written request of the owner or occupant of any land in the county of Door may use a ferret thereon for hunting rabbits.

29.25 GAME BIRDS; HUNTING. (1) Prohibited methods. No person shall hunt any game bird between sunset and thirty minutes before sunrise of the following morning; or by shooting it or at it from any boat, canoe, raft, blind, contrivance or device in open water, or from any boat or craft other than such as are propelled by paddle, oars, or pole or with the use of more than fifty decoys within, or any decoys beyond, two hundred feet from the blind or covering in which the hunter is located, or with any decoys left in the water unattended; or any game bird other than wild geese and brant with the use of a rifle.

(2) Open water defined. Open water is any water outside

or beyond a natural growth of vegetation extending over the water surface, and of such height as to offer partial or whole concealment for the hunter.

(3) Live decoys. The set of twenty-five decoys allowed for each hunter used on the water in hunting game birds may include not more than five live decoys; but each such live decoy so used shall be provided with a registration tag, which shall be issued by the state conservation commission to any holder of a hunting license on payment of a fee of ten cents for each tag.

(4) Use of dogs. No person carrying or being in possession of a gun shall run or use a dog or dogs in the field, or upon lands frequented by game birds or upon which game birds may be found, between the first day of August and the seventh day of September in each year.

29.26 PROHIBITED FISHING UNDER PARTICULAR CONDITIONS. No person shall take, capture, or kill fish of any variety, during the close season for trout, in streams and creeks containing trout; or at any time in or from any spring hole or artificial well connected with any of the waters of this state; or by means of shutting or drawing off water for that purpose; nor shall any person take, capture or kill fish within two hundred feet of any fishway, lock or dam otherwise than with a hook and line. No fish of any variety shall be taken in any manner within five hundred feet below any fishway, lock or dam in the counties of Burnett, Washburn, Sawyer, Oneida, Florence, Vilas, Iron, Ashland, Bayfield, Douglas, and north of townships number 35 in Price and Forest counties, and within three hundred feet above and five hundred feet below the dam at Kilbourn on the Wisconsin river. No person shall take or catch fish from a boat or float in Flites pond on the Big Rush O'Cree creek in the town of Plainfield, Waushara county.

29.27 PROHIBITED METHODS OF FISHING. (1) Hook and line fishing; spearing. No person shall take, catch, kill, or fish for fish of any variety with more than three lines, or with any line equipped with more than two hooks or one trolling spoon or artificial bait, or with more than such number of lines and hooks left in the water unattended, unless a license for a set line shall be procured therefor; or any game fish by any means other than angling or trolling, except as provided in subsection (2) of section 29.28 and section 29.30; nor shall any person use a spear for the purpose of taking, catching or killing any rough fish at any time in nonnavigable waters con-

taining trout, or during the close season for trout in navigable waters containing trout, or at any time in Lake Mason, commonly known as Briggsville pond, or the inlet, outlet or marshes adjacent to the same, or in Pine lake, in the town of Hancock, and Fish lake, in the towns of Hancock and Deerfield, Waushara county, or in the Chain of Lakes, Mirror or Shadow lakes, in the towns of Farmington, Dayton, Waupaca, and the city of Waupaca, Waupaca county, or in Devil's lake, Sauk county, or in the waters known as Koenig's mill pond, situated in sections seven, eight, seventeen and eighteen of township nine north, of range six east, town of Prairie du Sac, or in the nighttime in any other inland waters.

(2) Snag lines. No person shall set, place, use, have, or control any snag line or snag pole, meaning any line, cable, or pole to which a number of fishhooks or clusters of fishhooks of any kind or description are attached, and designated to be placed in or drawn through the water for the purpose of catching or drawing such hooks into the body of fish. Violations of this subsection shall be punished by a fine of not less than one hundred nor more than two hundred dollars, or by imprisonment in the county jail not less than six months nor more than nine months, or by both such fine and imprisonment.

29.28 ICE FISHING. (1) No person shall take, catch, or kill fish of any variety through the ice on Silver lake, situated within the city limits of Portage, Columbia county; Pine lake, town of Hancock, and Fish lake, towns of Hancock and Deerfield, and the mill pond in the village of Wautoma, Waushara county; Lake Noquebay in Marinette county; Lake Mason, commonly known as Briggsville pond, in the counties of Adams and Marquette; Shell lake, Washburn county; Chain of Lakes in townships thirty-seven and thirty-eight north, of range twelve west, in Washburn county; Spring lake and the upper mill lake in the village and town of Palmyra, Jefferson county; Big Slough in Lewiston, Columbia county; Devil's lake and Mears lake, and tributary streams; the waters known as Koenig's mill pond, in sections seven, eight, seventeen and eighteen of township nine north, of range six east, town of Prairie du Sac, and Mirror lake, in Sauk county; Twin lakes, in the town of Lincoln, Polk county; any lake in the counties of Langlade, Portage, Marquette, except in Buffalo lake, and Shawano. The bag limit for cisco in any lake in Waukesha county shall be twenty-five each day, except in Pine lake where there shall be no bag limit.

(2) Spears may be used for spearing pickerel through the

ice of the Mississippi river, Lake Pepin, Lake St. Croix, and the lakes, bays, bayous and sloughs tributary thereto and connected therewith.

(3) Fish shanties or shelters may be used on the ice of the Mississippi river, Lake Geneva in Walworth county, Lakes Winnebago, Winneconne, Big and Little Butte des Morts, and Poygan; Beaver Dam lake; the Fox river in Brown county; the Oconto river within the limits of the city of Oconto; all lakes in Waukesha county, except Phantom and Howitt's lakes; and where there is not less than fifty feet of water in Big Green lake. Wind shields may be used on the ice of Mendota, Monona, Waukesha and Kegonsa lakes in Dane county.

29.29 NOXIOUS SUBSTANCES. (1) Explosives; stupefactive. No person shall take, capture or kill fish of any variety in any waters of this state by means of dynamite or other explosives or poisonous or stupefying substances; or place in any waters of this state explosives which might cause the destruction of fish, except for the purpose of raising dead bodies whenever ordered by the public authorities, or for the purpose of clearing a channel or breaking a log jam; or have in his possession or under his control, upon any inland waters, any dynamite or other explosives for the purpose of taking, catching or killing fish. Violations of this subsection shall be punished by a fine of not less than two hundred nor more than five hundred dollars, or by imprisonment in the county jail not less than nine months nor more than one year, or by both such fine and imprisonment.

(2) Medicated bait. No person shall use, set, lay or prepare in any of the waters of this state any lime, poison, medicated bait, fish berries, or any other substance deleterious to fish life or which might attract fish in unusual numbers; but the feeding of cisco with oatmeal for the purpose of catching such fish with hook and line through the ice, is lawful.

(3) Deleterious substances. No person shall cast, deposit, or throw overboard from any boat, vessel or other craft into any waters within the jurisdiction of the state, or deposit or leave upon the ice thereof until it melts, any fish offal; or throw or deposit, or permit to be thrown or deposited, into any waters within the jurisdiction of the state any lime, tanbark, ship ballast, stone, sand, slabs, decayed wood, sawdust, sawmill refuse, planing mill shavings, or any acids or chemicals or waste or refuse arising from the manufacture of any article of commerce, or any other substance deleterious to fish life other than authorized drainage and sewage from municipalities.

FISHING WITH NETS AND SET LINES

29.30 FISHING WITH NETS AND SET LINES. (1) License required. Nets and set lines may be used for the purpose of taking, catching, or killing rough fish and game fish, subject to the conditions, limitations and restrictions prescribed in this chapter; but no person shall set, place or use in any waters of this state any net, trap, snare, set hook, or set line, which is intended to or might take, catch or kill fish of any variety, other than a landing net, dip net, minnow seine or minnow dip net, unless a license therefor has been duly issued to such person.

(2) Restrictions on the use of licensed nets and set lines. The use of licensed nets and set lines is subject, further, to the following conditions:

(a) No apron or other device shall be used in any pound net, which might prevent the escape of small fish through the meshes of the net when it is set or raised.

(b) No net of any kind shall be set so as to shut off more than one-half of any channel or passageway of any stream, or set within one thousand feet of any other net in said stream.

(c) No licensee shall join his net to that of any other licensee.

(d) At each end of every licensed net or set line, when set in any waters, shall be placed and maintained a white flag of not less than sixteen inches square, with the upper end of the staff extending at least two feet above the water, and numbered with figures at least three inches in height corresponding with the number of the license authorizing the use of such net or set line.

(e) The licensees of licensed nets or set lines used in outlying waters shall, on their boats, carry the state conservation commission, or its deputies, to and from their nets or set lines when set and, on demand of such officer, shall raise the same for his inspection; and any such officer is authorized, in the presence or absence of the licensee, at any time, to raise any set line in any waters, with as little damage as may be, for inspection. If any such licensee shall refuse to carry any such officer as herein provided his license shall be revoked and cancelled.

(f) No license net shall be drawn or lifted at any time between one hour after sunset and sunrise of the following morning, in any waters other than Lake Superior, Lake Michigan, Green Bay, the Fox river beyond a distance of 500 feet below the dam at De Pere, and Sturgeon Bay.

(g) No fish of any kind shall be taken or retained in any net, when drawn or lifted, other than the kind or kinds expressly authorized to be taken or retained in such net, as provided in this chapter; and except as provided in paragraph (h) any such other kind or kinds of fish coming into or taken in such nets shall be immediately returned, carefully and with as little injury as possible, to the waters from which they were taken.

(h) All rough fish taken in net in inland water shall be brought to shore and buried, sold, or otherwise lawfully disposed of; but none of such fish shall be returned to any waters of this state.

(i) Whenever the size of mesh of any net is specified in this chapter it shall be the size of such mesh, stretch measure, at the time of its use.

29.31 DIP NETS IN INLAND WATERS. (1) No person shall set, use or operate any dip net in any of the inland waters of the state for taking, catching or killing of any variety of fish other than as specified in this section.

(2) Dip nets not exceeding eight feet in diameter with meshes of not less than three inches may be used for taking, catching or killing rough fish in the Fond du Lac river within three miles of its mouth; in Silver creek in the town of Ripon, Fond du Lac county, from the old Arcade dam to the Green Lake county line; in the Big Wolf river; in Butternut lake, Ashland and Price counties; in the Manitowoc river from its mouth up to Ripp's bridge in the town of Rockland, Manitowoc county, and in all the streams and rivers flowing into Lake Michigan in that part of such streams beginning at the mouth and extending ten miles inland.

29.32 MINNOW NETS. (1) Use limited. No person shall set, use or operate any minnow seine or minnow dip net in any of the waters of this state for taking, catching or killing fish of any variety, other than as specified in this section.

(2) Inland waters. Minnow seines not exceeding forty feet in length and five feet in depth, and minnow dip nets not exceeding six feet in diameter may be used in all inland waters for taking, catching or killing rough fish minnows for bait only; but not in any such waters, creeks or streams inhabited by trout or in which trout have been planted, or in Turtle creek in Walworth and Rock counties, unless supervised by the state conservation commission or its deputies.

(3) Outlying waters. Minnow seines not exceeding one hundred feet in length and five feet in depth and minnow dip nets

not exceeding six feet in diameter may be used in Lake Superior, Lake Michigan, Green Bay, Sturgeon Bay, and the Fox river below the dam at De Pere, for taking, catching, or killing rough fish minnows for bait only.

29.33 NET AND SET HOOK FISHING IN OUTLYING WATERS. (1) License authorized. Net or set hook licenses which shall authorize the use of one or more of the kinds of nets or lines of set hooks named in this section, as limited herein, for the taking, catching, or killing of fish in the waters of Lake Superior, Lake Michigan, Green Bay, Sturgeon Bay, and the Fox river below the dam at De Pere, shall be issued, subject to the provisions of section 29.09, by the state conservation commission to any person duly applying therefor.

(2) Form of license. In addition to the facts required by section 29.09, each application for such license, and the license issued thereon, shall state the name and kind of vessel and whether with or without a steam lifter, and the number and kind of nets or set hooks to be covered by the license applied for.

(3) License period and fees. Each such license shall be effective only from the first day of January until the thirty-first day of December of the same year; and the fee for each license issued to any resident of this state is two dollars for a gill net or nets; five dollars for each seine; two dollars for each pound net and leader; five dollars for trap net or nets, fyke net or nets, drop net or nets, with leaders; and one dollar for each trammel net, or for set hooks. The fee for each license issued to any nonresident is the same as the resident fee, except for gill nets operated in conjunction with or from any vessel; and for gill nets so operated, two dollars for any vessel propelled by oars, paddle, or pole, fifty dollars for any other vessel propelled otherwise than by steam, one hundred dollars for any steam vessel without a steam lifter, and two hundred dollars for any steam vessel with a steam lifter.

(4) Metal tags. No such licensed net or set hooks shall be used until the same are equipped with metal tags stamped to designate the kind of net or set hooks and number of the license covering the same. One such tag shall be securely fastened to each two thousand lineal feet, or fraction thereof, of gill net or set hooks; one to each pound net; one to each five hundred lineal feet, or fraction thereof, of seine; and one to each fyke, drop, trap, submarine or trammel net. Such tags shall be furnished by the state conservation commission to the licensee at the time of issuing the license, on payment of a fee of twenty-

five cents for each tag, except that tags for gill nets shall be fifty cents.

(5) Reserve waters. The following waters are reserve waters, and no nets of any kind shall be set therein, namely: In Lake Superior within one-fourth mile from the entry of the channel between Wisconsin Point and Minnesota Point, or from any harbor, pier or breakwater, or from the mouth of any stream flowing into Lake Superior, or from the shore line of Douglas county. In Lake Michigan and Green Bay within one-fourth mile of any harbor, pier or breakwater, or from the mouth of any stream flowing into Lake Michigan or Green Bay, or within one mile from any harbor, pier or breakwater in Milwaukee county, or within one mile from the shore line of Milwaukee county. In the waters of Lake Michigan or Green Bay no gill net shall be set within one-fourth mile from the shore line of Door county and no net of any kind shall be used in the following bays or harbors in Door county, namely: Sturgeon Bay, Little Sturgeon Bay, Fish Creek Harbor, Eagle Harbor, Bailey's Harbor, Mud Bay, North Bay, Rowley's Bay, and Washington Harbor and Detroit Harbor in Washington Island. No gill net of less than four inches stretch measure shall be set in less than forty fathoms of water, except in Green Bay proper.

(6) Close seasons. For the purpose of this subsection the waters of Green Bay shall be considered to include all that area south of a line drawn between Limekiln Bluff in Door county and the mouth of the Menominee river in Marinette county, and including the Fox river as far as the dam at De Pere, and all the waters of Green Bay north of the above described line shall be subject to the law covering Lake Michigan.

(a) In Green Bay there shall be a close season on lake trout and whitefish from October 21 to November 21. A close season for pike and pickerel from March 10 to May 1. A close season for all varieties of fish, except lake trout and whitefish from the first day of April to the fifteenth day of May, inclusive.

(b) In Lake Michigan there shall be a close season on lake trout and whitefish from October 21 to November 21.

(c) In Lake Superior there shall be a close season for lake trout and whitefish from September 15 to November 1.

(7) Prohibited nets. Minnow nets. For the purpose of this subsection the waters of Green Bay shall be considered to include all that area south of a line drawn between Limekiln Bluff in Door county and the mouth of the Menominee river in Marinette county and including the Fox river as far as the dam

at De Pere. All the waters of Green Bay north of the above described line shall be subject to the law covering Lake Michigan.

(a) In Green Bay nets with a mesh not less than four inches may be used for the taking of lake trout and whitefish. Gill nets with a mesh not less than **two and three-eighths inches may be** used for taking herring, chub, bluefin, or perch. Seines with a mesh of not less than three inches, and pound nets with a mesh of not more than two inches in the pound may be used. No nets of any kind shall be set for the purpose of catching any variety of fish during the close season for such fish and from the first day of April to the fifteenth day of May, inclusive, except gill nets with mesh of not less than four inches for the purpose of taking lake trout or whitefish, no nets of any kind shall be set in the waters of Green Bay. During the period from January 1 to March 10 gill nets with a mesh of two and one-eighth inches may be used under the ice for the purpose of catching herring.

(b) In Lake Superior gill nets with a mesh of not less than four inches may be used for the purpose of taking lake trout and whitefish. Gill nets with a mesh of not less than two and three-eighths inches may be used during the months of November and December for the purpose of taking herring. Seines with a mesh of not less than three inches and pound nets with a mesh of not more than two inches in the pound may be used. No nets of any kind shall be set or used for the purpose of taking any variety of fish during the close season for such fish.

(c) In Lake Michigan gill nets with a mesh of not less than four inches may be used for the purpose of taking lake trout and whitefish. Gill nets with a mesh of not less than **two and one-half inches** may be used for the purpose of taking herring, chub, bluefin and perch but no such nets shall be set in less than forty fathoms of water. Seines with a mesh of not less than three inches and pound nets with a mesh of not more than two inches in the pound may be used. No nets of any kind shall be set for the purpose of taking any variety of fish during the close season for such fish.

(d) In Green Bay and Lake Michigan minnow seines fifty feet long and five feet deep may be used for taking rough fish minnows for bait. Each set hook licensee may use not more than two thousand feet of gill net with a mesh of one and three-eighths inches, except in reserve waters, for the purpose of taking bloaters for bait. The provisions of subdivision (d) of

subsection (7) of section 29.33, shall not take effect until January 1, 1918.

(c) All nets with a mesh other than such as above specified and all nets used in violation of this chapter are contraband nets and shall be seized and confiscated whenever found in the water or on any vessel, dock or reel. Any such contraband nets so found shall be deemed sufficient evidence of the use of such nets by the owner thereof.

(8) Bass, muskellunge and sturgeon. All black bass, muskellunge and sturgeon taken in any net shall be immediately returned alive and without avoidable injury, to the waters from which taken.

(9) Under size fish. No licensee of any net or set hooks shall transport or cause to be transported, fish of any of the varieties mentioned in this subsection of a length less than that specified for each variety; and such measurement of length shall be taken in a straight line from the tip of the nose to the utmost end of the tail fin, except that the measurement of dressed fish be of the length of the carcass, namely:

Lake trout -----	12	inches
Whitefish -----	13	"
Suckers -----	10	"
Carp -----	12	"
Suckers with head and tail off -----	7	"
Perch -----	8	"
Perch with head and tail off -----	5	"
Pike -----	13	"
Pike with head and tail off -----	10	"
Pickereel -----	16	"
Pickereel with head and tail off -----	11	"
Catfish -----	15	"
Catfish with head off -----	13	"
Any other variety -----	7	"

Any licensee taking such undersize fish shall bring them to shore and immediately notify the state conservation commission or its deputy; and the latter shall take possession of such fish and deliver them to some state, county, or charitable institution, or otherwise dispose of the same.

(10) Possession, sale and transportation. No such licensee and no other person shall transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation or have in possession or under control any fish of the varieties mentioned in subsection (9) of a length less than that

specified therein for each variety, respectively, whether lawfully or unlawfully taken within or without the state. When ever such undersize fish are received by or offered to any person for transportation in the course of business, such person shall forthwith notify the state conservation commission, or its deputy, stating full particulars.

(11) Penalty. Any violation of subsections (1), (5), (6), (7), (8), (9), and (10) of section 29.33 shall be punished by a fine of not less than three hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than six months nor more than nine months, or by both such fine and imprisonment.

(12) Reports. On or before January 10 following the expiration of his license, each such licensee shall report to the state conservation commission in writing, on blanks furnished by the said commission, the number of his license, the kind, number and size of nets, the length of lines of set hooks used, number of lineal feet of gill nets, the number of pounds and value of each variety of fish caught; and such other information as may be required on the blanks furnished. Such report shall be subscribed to before a notary public or a justice of the peace.

29.34 NET LICENSES; MISSISSIPPI RIVER WATERS.

(1) License authorized. Net licenses which shall authorize the use of nets, as limited herein, during the period of time extending from the fifteenth day of June to the next succeeding fifteenth day of April, for taking, catching, or killing fish in the waters of the Mississippi river, Lake Pepin, and Lake St. Croix, and the lakes, bays, bayous, and sloughs tributary thereto and connected therewith, shall be issued subject to the provisions of section 29.09 by the state conservation commission to any resident of the state duly applying therefor.

(2) Bond. Before any such license is issued, the applicant shall execute and deliver to the state conservation commission a bond running to the state of Wisconsin, in the sum of two hundred dollars, with two sureties, and conditioned that if the applicant shall well and faithfully observe and comply with all the provisions of this chapter, said obligation to be null and void, otherwise to remain in full force. Each said surety shall be worth and qualify in at least the sum of two hundred dollars, over and above all his debts and liabilities, in property within this state not exempt from sale on execution.

(3) License period; nets specified. Each such license shall

expire on the fifteenth day of April next succeeding the date of its issue, and shall authorize the use of one or more of the following nets only: Seines not exceeding a total length of four thousand feet, and having meshes of not less than five inches on the wings or four inches in the center of the pot, the pot not exceeding one hundred and fifty feet in length; gill nets having meshes of not less than seven inches; pound or hoop nets having meshes of not less than six inches in the leaders, five inches in the hearts, or three inches in the hoops; and bait nets to be used without leads, having meshes of not less than three inches, and not more than a four-foot hoop front.

(4) License fees. The fee for each such license is as follows: For seines, one dollar per hundred for the first five hundred lineal feet, two dollars per hundred for the second five hundred lineal feet, three dollars per hundred for the third five hundred lineal feet, four dollars per hundred for the fourth five hundred lineal feet, five dollars per hundred for the fifth five hundred lineal feet, and six dollars for each one hundred lineal feet over twenty-five hundred; for gill nets, five dollars for the first two thousand lineal feet, and five dollars for each additional one thousand lineal feet; for pound or hoop nets, five dollars for each seven hundred lineal feet of leader and one pound, and five dollars for each additional pound; for bait nets, one dollar each.

(5) Metal tags. No such licensed net shall be used until the same is equipped with metal tags stamped to designate the kind of net and number of the license covering the same. One such tag shall be securely fastened to each five hundred lineal feet, or fraction thereof, of seine; one to each two thousand lineal feet, or fraction thereof, of gill net; and one to each fyke, hoop, or bait net. Such tags shall be furnished by the state conservation commission to the licensee at the time of issuing the license, on payment of a fee of twenty-five cents for each tag.

(6) Protected fish. No such licensed net shall be used for taking, catching, or killing any of the following named fish: catfish of any variety under fifteen inches in length in the rough, or twelve inches dressed with the head detached; pike of any variety, bass of any variety, crappies, sunfish, pickerel, sturgeon, or perch.

(7) Reserve waters. No such licensed net shall be used for taking, catching, or killing fish of any kind in any of the following named waters: Rice lake, French lake, Mud lake, Round lake, Long lake, French slough, Spring creek, Spring slough,

and Black river in La Crosse county; Courtois pond, Pickerel, Spring, Nigger and Frenchtown sloughs and Gordon bay, in Crawford county; the De Soto bay, Long slough, T slough, Green lake, Pick's lake and all sloughs, lakes and bayous from De Soto bay to the main channel of the Mississippi river and as far north as Battle Bar in Vernon county; Cassville sloughs from Glen Haven to Cassville; Daley lake, Wyalusing bay and Glen lake between Wyalusing and the Burlington railway bridge, Plondke and Harris sloughs, Crawford lake, Ferry lake, and Bertram lake, all in Grant county; Trention lake, Trention slough, Mud lake and Mero slough in Pierce; and Beef slough in Buffalo county; and the Mississippi river within fifteen hundred feet of the mouth of the Chippewa river.

(8) Temporary ponds; shipments. Each such licensee may construct temporary fish ponds and keep his fish therein until they can be marketed; and a card shall be attached to each shipment thereof, on which shall be written "Shipped under section 29.34," the signature of the licensee, and the number of his license.

(9) Reports. Each such licensee shall keep a strict record and account as to each variety of fish and the number of pounds thereof taken by him in such licensed nets; and shall report thereon to the state conservation commission on or before the fifteenth day of May covering his operations during the preceding year.

29.35 NET LICENSES; WHITEFISH AND CISCO IN INLAND LAKES. (1) Net licenses which shall authorize the use of not exceeding one hundred lineal feet of gill net, with meshes not less than two and three-fourths inches, or dip nets with a diameter of not more than eight feet and with meshes not less than one and one-half inches, for taking, catching or killing whitefish in any of the inland waters of the state containing whitefish, or not exceeding one hundred lineal feet of gill net, with meshes not less than two inches, for the purpose of catching ciscos in any of the inland waters of the state containing cisco may be issued by the state conservation commission, subject to the provisions of section 29.09, to any resident of the state duly applying therefor. Such licenses may also be issued by the commission in its discretion, for the catching of whitefish or ciscos, respectively, in any other inland waters. The fee for each such license is fifty cents.

(2) Each such license shall be limited to such period of twenty days as shall be fixed by the state conservation commission, and no such whitefish licensee shall have in his possession

or under his control at any time more than one hundred pounds of whitefish.

(3) No such licensed net shall be used until the same is equipped with a metal tag, stamped to designate the kind of net and number of the license covering the same, to be securely fastened to each net. Such tag shall be furnished by the commission at the time of issuing the license. Spears may be used in the waters of Vilas county during the period from October 15 to November 15 for the purpose of spearing cisco.

29.36 NET LICENSES; ROUGH FISH IN WINNEBAGO WATERS. (1) The state conservation commission may upon application therefor issue to any person a license to use and operate a seine, fyke, hoop net or a turtle net in lakes Winnebago, Winneconne, Poygan, Butte des Morts, Little Butte des Morts, and the Fox and Wolf rivers, for the purpose of taking and catching rough fish between the fifteenth day of June of each year and the next succeeding first day of April. All the following varieties of fish so caught shall be the property of the licensee, i. e., pickerel, buffalo fish, carp, celpout, dogfish, sheepshead, billfish, red horse, suckers, lawyers and lizards.

(2) The fee for each such license is as follows: For a seine of five hundred feet and not over one thousand feet, twenty-five dollars; of one thousand feet or over, fifty dollars each; for seines of less than five hundred feet, or fyke, hoop or turtle nets, five dollars each. No nets shall be used until the same are equipped with metal tags, stamped to designate the kind of net and numbered to correspond with the number of the license authorizing the operation of said net or nets, one such metal tag to be securely fastened to each net. Such metal tag shall be furnished to the licensee by the state conservation commission on the payment of a fee of twenty-five cents for each tag. Any licensee operating a seine, seines, fyke or hoop net, under the provisions of this section, shall do so under the direction and personal supervision of the state conservation commission or one of its deputies, but not otherwise; but the state conservation commission may order one deputy to direct and supervise the operation of a seine, seines, fyke or hoop nets by more than one licensee.

(3) All licenses under the provisions of this section shall be issued upon the express condition that each licensee operating a seine or seines shall pay to the state conservation commission one-half cent per pound for all fish taken under such license and which are packed ready to be shipped or otherwise disposed of. Any and all moneys so received by the commission shall be paid into the state treasury.

(4) Any licensee shall be allowed to ship or transport to any place he desires any fish taken under the provisions of this section, except those required to be immediately returned to the waters. A card shall be attached to the package or box in which the same shall be shipped, on which shall be written "Shipped under section 29.36," the signature of the licensee, and the number of his license.

(5) Each such licensee may construct temporary fish ponds and keep his fish therein until they can be marketed.

29.37 SET LINE LICENSES; INLAND WATERS. (1) Set line licenses which shall authorize the use of one set line only, with not exceeding twenty-five hooks, for taking, catching or killing fish, shall be issued, subject to the provisions of section 29.09, by the county clerk of the county bordering on the waters where such set lines are intended and permitted to be used, to any person duly applying therefor.

(2) Each such license shall be limited to the period of time extending from the twenty-ninth day of May to the next succeeding fifteenth day of February. The fee for each such license is one dollar.

(3) No such licensed set line shall be used until the same is equipped with a metal tag, stamped to designate the number of the license covering the same, which shall be securely fastened to one end of the set line. Such tag shall be furnished by the state conservation commission to the county clerk, and by the latter to the licensee at the time of issuing the license, on payment of a fee of twenty-five cents. All fees received by county clerks for such metal tags shall be returned and reported in the same manner as are license fees, as prescribed in section 29.09, but without deduction.

(4) Such licensed set lines may be used only in the following waters: Big Wolf river in Waupaca and Outagamie counties; Lake Winnebago, Lake Butte des Morts, Little Butte des Morts, Lake Winneconne, Lake Poygan, Lake Puckaway, and the river connecting said lakes, Fox river, except below the dam at De Pere; Wisconsin river from the north line of Sauk county to its mouth; Black river from the north line of Jackson county to its mouth; the Chippewa river from its mouth to the dam at Jim Falls, Chippewa county; Menomonee river bordering on Marinette county; the Pecatonica river in Green county; and the Mississippi river, Lake Pepin and Lake St. Croix.

(5) In the Mississippi river, Lake Pepin and Lake St. Croix, Big Wolf river in Waupaca and Winnebago counties; in the

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Fox river in Winnebago county and in Outagamie county as far as the dam at De Pere; in Lake Winnebago, Lake Winneconne, Lake Butte des Morts, Little Butte des Morts, Lake Poygan, three hundred hooks may be used but in such waters no frog, minnow or live bait shall be used. No licensed set line shall be equipped with any hooks smaller than 5/0.

CLAMMING

29.38 Clamming licenses. (1) No person who is not a resident of this state or who has resided in this state less than one year next previous shall take, catch or kill any clam in the inland waters of this state unless a license therefor has been duly issued to him. Such licenses shall be issued subject to the provisions of section 29.09 by the state conservation commission to all such persons duly applying therefor. The fee for each such license is fifty dollars. Each such licensee may use one boat only, in the exercise of his clamming privilege.

(2) No person shall take, catch or kill any mussels in any of the waters of this state at any time with the use of a dredge.

POSSESSION OF GAME

29.39 POSSESSION DURING CLOSE SEASON, OR IN EXCESS OF BAG LIMIT. No person shall have in his possession or under his control, or have in storage or retention or as common carrier for any one person, any game, game fish, or other wild animal or carcass or part thereof, during the close season therefor, or in excess of the bag limit for one day or below the minimum size thereof at any one time during the open season, whether lawfully or unlawfully taken within or without the state.

29.40 POSSESSION OF DEER; HEADS AND SKINS.

(1) Deer tags. Any person having lawfully killed a deer shall immediately attach and leave attached to the carcass, or part thereof, the deer tag corresponding to his license; and no person shall have in his possession or under his control, or have in storage or as a common carrier, any such carcass, or part thereof, without such tag attached.

(2) Home consumption. Any person residing in this state having lawfully killed a deer, may have in his possession and consume the meat thereof in his own family at any time, but must leave the tag attached thereto.

(3) Heads and skins. The head and skin of any deer lawfully killed, when severed from the rest of the carcass, are not

subject to the provisions of this chapter; but no person shall have in his possession or under his control the green head or green skin of a deer between the tenth day of January and the succeeding 21st day of November of each year, or at any time a deer head in the velvet, or a deer skin in the red, blue or spotted coat.

29.41 SKINS OF FUR-BEARING ANIMALS. The skin of any fur-bearing animal lawfully killed, when separated from the rest of the carcass is not subject to the provisions of this chapter; but no person shall have in his possession or under his control the skin of any fisher, marten, mink, or muskrat showing that the same has been shot or speared, nor the green skin of any fur-bearing animal from the fifth day after the beginning of the close season for such animal until the ending thereof.

29.42 POSSESSION OF GAME BIRDS. (1) Without license. No person, other than the holder of a hunting license or scientist's certificate duly issued to him and in force and carried by him on his person, shall have in his possession or under his control any game bird, or animal, or the carcass or any part thereof.

(2) Nests and eggs. No person shall take or needlessly destroy, or have in his possession or under his control, except by virtue of a scientist's certificate, the nest or eggs of any wild bird for which a close season is prescribed in this chapter.

TRANSPORTATION OF GAME

29.43 TRANSPORTATION; GENERAL PROVISIONS. (1) During close season. No person shall transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation, any game or game fish or carcass or part thereof during the close season therefor, whether lawfully or unlawfully taken within or without the state. Whenever any game or game fish or carcass or part thereof is offered to any person for transportation during the close season therefor such person shall forthwith notify the state conservation commission or its deputy, stating full particulars of such offer and by whom made.

(2) Trunks; valises. No person shall carry with him or under his control in any trunk, valise, or other package or enclosure, at any time, any game or game fish, or carcass or part thereof.

(3) Transportation employees. No employe of any railroad, express, or other transportation company, and no steward, porter, or other employe of any dining, parlor or sleeping car shall

have in his personal possession or under his personal control, at any time while in such service, any game or game fish, or carcass or part thereof.

(4) Labeling game shipments. No person shall transport or cause to be transported, or deliver or receive for transportation, any package or parcel containing any wild animal or carcass or part thereof, unless the same is labeled in plain letters on the address side of such package or parcel so as to disclose the name and address of the consignor, the name and address of the consignee, and the number of pounds of each kind of fish or the number of each variety of other wild animals: or carcasses, or parts thereof, contained therein; and unless the consignor is the owner of such shipment and shall deliver to the common carrier therewith, either personally, or by agent, a writing signed by him personally, stating that he is the owner of the shipment.

29.44 INTERSTATE TRANSPORTATION OF GAME. No person shall transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation, into or through this state, any game or game fish or carcass or part thereof from any other state in violation of the laws of such state relating to the transportation thereof; nor any game or game fish or carcass or part thereof lawfully transported from any other state, nor have the same in his possession or under his control, during the close season or in excess of the limitations prescribed for such animal in this chapter, unless a permit therefor has been duly issued to such person by the state conservation commission; but any person who has lawfully killed a deer in this state may, on his license only, take such deer into any adjoining state, if the laws thereof permit, and ship the same from any point in that state to any point within this state.

29.45 TRANSPORTATION OF DEER. (1) No common carrier shall receive for transportation or transport or attempt to transport any deer, or carcass or part thereof, otherwise than as provided in this section.

(2) Each holder of a resident hunting license, settlers' hunting license, or nonresident general hunting license, may transport or cause to be transported one deer between the last ten days of November of each year; but must accompany the same from the point of shipment to the point of destination.

(3) The place of delivery of any such shipment by a resident licensee shall be within the state, and by a nonresident licensee may be either within the state or at his residence without the state.

29.46 TRANSPORTATION OF GAME BIRDS. (1) No common carrier shall receive for transportation or transport or attempt to transport any game bird, or carcass or part thereof, otherwise than as follows: Each holder of a hunting license may carry with him openly, in his personal possession, a mixed bag of not more than twenty such birds, but not more than the bag limit for one day of any one variety; but no such licensee resident within this state shall carry or convey any such bird beyond the borders of the state.

29.47 TRANSPORTATION OF FISH. (1) Time limitation. No person shall transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation, any game fish taken from inland waters, during the period extending from the first day of January to the last day of the close season for such fish, in each year.

(2) From inland waters. No person shall transport or cause to be transported, or deliver or receive or offer to deliver or receive for transportation, at any time, any game fish taken from inland waters other than as follows:

(a) One shipment only of not more than one package, and containing not more than twenty pounds of game fish of any variety other than those named in paragraphs (c) and (d) of this subsection, or containing in lieu thereof not more than two such fish of any weight, may be transported by any resident to any point within the state, or by any nonresident licensee to any point without the state in each period of seven days. Non-resident hook and line fishing licenses may be issued by the state conservation commission to any nonresident female over the age of sixteen years for the purpose of making shipment without the state, under the provisions of this section.

(b) Any shipment containing more than twenty but not exceeding fifty pounds of game fish of any variety other than those named in paragraphs (c) and (d) of this subsection may be transported only to a point within this state, and must be accompanied by the owner from the point of shipment to the point of destination.

(c) Thirty-five trout of any variety other than lake trout may be transported to any point within or without the state, when accompanied by the owner from the point of shipment to the point of destination.

(d) One shipment only, containing not more than twenty pounds of lake trout taken from inland waters, may be transported by any person in each period of seven days, to any point within or without this state, when accompanied by the owner from the point of shipment to the point of destination.

(3) From outlying waters. The transportation of fish taken in outlying waters is subject to the following limitations:

(a) No green fish of any variety shall be shipped from any port located on outlying waters during the close season for such fish, except the first three days thereof.

(b) Pike and pickerel of lawful size and lawfully taken from outlying waters may be transported to points within or without the state without limitation as to quantity; but all such shipments shall be billed only from a port on outlying waters directly to their destination, and shall not be rebilled or reshipped from any other point within the state.

(4) Shipments from inland points. Any shipment of game fish of any variety originating at any point in this state other than ports located on outlying waters is subject to the provisions of this section governing the transportation of game fish taken from inland waters.

(5) Foreign shipments. Pike and pickerel in a frozen state, whether dressed or not dressed, legally taken or imported from any foreign country, are not subject to any of the provisions of this chapter except subsection (10) of section 29.33; but the person importing, transporting, dealing in, or selling such fish shall keep a separate record of all shipments and consignments thereof, containing the number of pounds, the date received, the name of the consignor, and the name of the carrier transporting the same, which shall be at all times open to inspection by the state conservation commission or its deputies.

(6) Injurious fish. Live carp minnows and dogfish minnows shall not be transported within the state.

COMMERCE IN GAME

29.48 SALE OF GAME. Except as provided by section 29.52 no person shall sell, purchase, or barter, or offer to sell, purchase, or barter, or have in his possession or under his control for the purpose of sale or barter, any deer, squirrel, game bird, black bass, muskellunge, or trout other than lake trout, or the carcass or part thereof, at any time; nor any other game fish taken from inland waters during the period extending from the first day of January to the next succeeding twenty-ninth day of May of each year; nor any other game or other wild animal, or carcass or part thereof, during the close season therefor. This section applies, whether such animals were lawfully or unlawfully taken within or without the state.

29.49 SERVING OF GAME TO GUESTS. (1) Prohibited. Except as provided by section 29.52 no innkeeper, manager or

steward of any restaurant, club, hotel, boarding house, saloon, logging camp, or mining camp shall sell, barter, serve or give, or cause to be sold, bartered, served, or given to the guests or boarders thereof the meat of any deer, squirrel, game bird, or trout other than lake trout, or the carcass or part thereof, at any time; nor any other game fish taken from inland waters during the period extending from the first day of January to the next succeeding twenty-ninth day of May of each year; nor any frog or other game or other wild animal, or carcass or part thereof, during the close season therefor, except rabbits in counties containing a city of the first class. This section applies, whether such animals were lawfully or unlawfully taken within or without the state.

(2) Free lunch. The giving, offering, or affording opportunity to take free lunch in any of the places named in the preceding subsection shall be held to be embraced within the prohibitions thereof.

(3) Penalty. Violations of this section shall be punished by a fine of not less than two hundred nor more than five hundred dollars, or by imprisonment in the county jail not less than nine months nor more than one year, or by both such fine and imprisonment.

PROPAGATION OF WILD ANIMALS

29.50 PROPAGATION PRIVILEGED. Nothing in the foregoing provisions concerning the protection of wild animals shall affect the operation of state hatcheries, the removal of fish which have died from natural causes or the removal of deleterious fish by the state conservation commission or under its authority; or the propagation or transportation, collecting and transplanting of fish or fish fry by state authority; nor the transportation of fish into or through this state or out of it by the commissioners of fisheries of other states or of the United States; nor the operation of private fish hatcheries, or the propagation of fish in private waters, or the transportation and sale of fish therefrom as hereinafter provided; but the state conservation commission, or its agents and employees, shall not furnish fish or fry from state hatcheries to private ponds, private clubs, corporations or preserves, and shall not plant them in waters where the general public is not allowed the rights and privileges enjoyed by any individual.

29.51 STATE PROPAGATION OF FISH. (1) State fish hatcheries. The state conservation commission shall have gen-

eral charge of the following matters, and all necessary powers therefor, namely:

(a) The propagation and breeding of fish of such species and varieties as they may deem of value.

(b) The collection and diffusion of useful information in regard to the propagation and conservation of fish.

(c) The government and control, care, supply, and repair of the state fish hatcheries and the grounds used therefor, whether owned or leased, and the buildings, ponds, fish ear and other apparatus, and all other property belonging to or held by the state for the propagation of fish.

(d) The purchase and establishment and control, in like manner, of new hatcheries when appropriations shall be made by law, and the establishment of such temporary hatching stations as they may deem necessary.

(e) The receiving from the commissioners of fisheries of the United States, and from the commissioners of fisheries of other states, or other persons, of all spawn, fry or fish donated to the state or purchased, and in the most practical ways, by exchange or otherwise, to procure, receive, distribute, and dispose of spawn and fish; to make contracts and carry on the same for the transportation of fish cars, cans, commissioners and employes by land or water as may be most advantageous to the state; and to take such other measures as in their judgment shall best promote the abundant supply of food fishes in the waters of the state.

(f) The commission shall keep an inventory of the property of the several hatcheries, with the cost of each article, and account in detail and separately of the expenses of each hatchery; also of the distribution of the fish, of maintaining and repairing property and of such improvements as may from time to time be ordered.

(2) Transplantation of fish. The commission may take or cause to be taken fish at all seasons of the year from any waters of the state for stocking other waters, or for the purpose of securing eggs for artificial propagation in the state hatcheries. Such fish or eggs shall be taken only under a special permit issued by the commission, and then only in the presence of the commission or its deputies. Such permit shall specify the kinds of fish that may be taken and the manner in which they may be taken; and shall be subject to the conditions that the holder shall pay for the services of and furnish free transportation and meals on his boat to a competent person approved by the com-

mission to spawn the fish and fertilize the eggs, and that such eggs shall be delivered at such place as may be designated by the commission and forwarded to some state hatchery for propagation.

(3) Delivery of spawn. Any person fishing in any waters of this state shall deliver, on demand, to the state conservation commission or its deputies or authorized agents, all kinds of fish, during the spawning season, for the purpose of being stripped of their eggs and milk; and the person receiving them shall, immediately after having stripped the fish, return them to the person from whom received. Any such person shall permit the commission, or its deputies, or authorized agents to enter any boats, docks, grounds or other places where such fish may be, for the purpose of stripping the same while alive, and shall render such assistance as may be necessary to expedite the work of mixing the eggs and milk for proper impregnation.

(4) Removal of spawn or fish from state. No person shall remove any fish eggs or live fish from this state except as authorized by law, unless a permit therefor has been issued to him by the state conservation commission.

(5) Unlawful fishing by employees. No employe of the commission, and no other person, while engaged in catching wild fish from the public waters for purposes of artificial propagation, shall take or have in his possession or under his control any kind of fish other than those he has been directed, by the commission or its deputy or agent, to take therefrom.

29.52 PRIVATE FISH HATCHERIES. (1) No person shall stock any private fish hatchery with fish or fry obtained from any Wisconsin state fish hatchery, or from any waters of the state except when such fish have been taken in a lawful manner.

(2) The term "private fish hatchery" includes only private ponds, with or without buildings, used for the purpose of propagating fish and located as follows:

(a) At the headwaters of or along a stream for a distance of not to exceed one mile, on private land possessed and controlled by the owner or owners of such hatchery.

(b) On private land where the supply of water for the hatchery is furnished by springs or artificial wells.

(c) On private land where the supply of water for the hatchery is obtained by the use of flumes, pipes, or ditches from flowing streams, provided that said flumes, pipes, or ditches, shall be properly screened so as to prevent fish from passing from such streams to the ponds of such hatchery.

(3) The owner or lessee of any private hatchery shall report to the state conservation commission the name, if any, and location of such hatchery, whereupon the commission shall inspect, and in its discretion number and register such hatchery and immediately inform the owner or lessee of the number given such hatchery; such owner or lessee shall, however, pay a registration fee of five dollars, and all expenses of inspection except the salary of the employe who inspects the hatchery.

(4) Each package or box containing fish propagated and raised in any private hatchery and shipped or offered for shipment shall be branded with an iron brand as follows: "Shipped from the private fish hatchery of (insert name of owner or lessee, location, and number of hatchery)" and such brands shall not be used on packages containing fish not taken from such private hatchery.

(5) Any person who shall, without permission of the owner, trespass or fish on the waters of a private hatchery or fish pond properly registered with the state conservation commission, shall be punished by a fine of not less than fifteen dollars nor more than twenty-five dollars and in default of payment thereof shall be imprisoned in the county jail for not less than ten days nor more than twenty days; provided, that the owner of such private fish hatchery or fish pond gives notice by maintaining signboards, at least one foot square, in at least two conspicuous places to every forty acres. Prosecutions under this subsection shall be by the owner of such private hatchery or pond.

29.54 STATE PROPAGATION OF WILD MAMMALS AND BIRDS. (1) The state conservation commission is authorized to take or purchase wild mammals and birds and their eggs for propagation. The distribution thereof shall be made throughout the various parts of the state under the supervision and direction of the commission, and according to such regulations as they shall prescribe.

(2) No person shall take, remove, sell, or transport from the public waters of this state to any place beyond the borders of the state, any duck potato, wild celery, or any other plant or plant product except wild rice native in said waters and commonly known to furnish food for game birds.

29.55 WILD ANIMALS FOR PARKS. (1) The state conservation commission may, on application of any park board, grant permit to take, have, sell, barter, or transport, at any time, live wild animals for park purposes.

(2) The state conservation commission may, on application

of any person, grant a permit to such person to take and transport wild animals for propagation within the state, under the supervision of the commission or its deputies

29.56 FOREST COUNTY GAME REFUGE. Townships thirty-eight north, of range twelve and thirteen east, Forest county, shall be known as the Forest County Refuge. No person shall at any time or in any manner, hunt any game within said refuge.

29.57 WILD LIFE REFUGES. (1) Establishment. The owner or owners of any tract, or contiguous tracts, of land comprising in the aggregate not less than one hundred and sixty acres located outside the limits of any city or village, may apply to the state conservation commission for the establishment of said lands as a wild life refuge. The commission may thereupon employ such means as it may deem wise to inform itself regarding the premises; and if, upon inspection, investigation, hearing, or otherwise, it shall appear to the satisfaction of the commission that the establishment of said lands as a wild life refuge will promote the conservation of one or more useful species or varieties not native within this state, it may by order designate and establish the said lands as a wild life refuge.

(2) Enclosure. Within thirty days after the date of such order the owner or owners of the said lands shall enclose the same, wherever the same are not already enclosed by a fence, with a single substantial wire, and shall post and maintain along the said wire or fence, at each interval of twenty rods, signs or notices, furnished by the state conservation commission, proclaiming the establishment of said refuge.

(3) Publication. No such order shall be effective until at least thirty days after the date of its issue; nor unless the commission shall have caused notice thereof to be given by its publication, once in each week for three successive weeks next preceding the date of its effect, in at least one newspaper published in the county embracing the said lands. Thereupon the said lands shall be a wild life refuge, and shall so remain for a period of not less than five years, from and after the date of effect stated in said order.

(4) Absolute Protection. No owner of lands embraced within any such wild life refuge, and no other person whatever, shall hunt or trap within the boundaries of any wild life refuge, state park, or state fish hatchery lands; nor have in his possession or under his control therein any gun or rifle, unless the same is unloaded and knocked down or enclosed within its carry-

ing case; but nothing herein shall prohibit, prevent, or interfere with the state conservation commission, or its deputies, agents or employees, in the destruction of injurious animals.

(5) Animals procured by commission. The state conservation commission may place within any such wild life refuge, for the purpose of propagation, wild animals of any species or variety.

DESTRUCTION OF INJURIOUS ANIMALS

29.58 MUSKRATS INJURING DAMS. The owner or lessee of any dam may in any manner capture or kill muskrats at any time when said muskrats are injuring or destroying such dams or the levees connected therewith; but shall not sell, barter, or give to any other person the skin of any muskrat captured or killed during the close season therefor.

29.59 BEAVER CAUSING DAMAGE. (1) Complaint. Upon complaint in writing, by the owner or lessee of any lands, to the state conservation commission, that beaver are causing damage thereto the commission shall employ such means as it may deem wise to inquire into the matter; and if, upon inspection, investigation, hearing, or otherwise, it shall appear to the satisfaction of the commission that the facts stated in such complaint are true, it may, by written permit, authorize the said owner or lessee to capture and remove such beaver, as hereinafter prescribed.

(2) Supervision. No beaver shall be captured or killed under such permit except only during such period of time, from and after the first day of January in each year, as may be limited by the commission, and then only under the direct supervision of a deputy conservation warden.

(3) Disposition of animals. The owner or lessee shall capture, alive and without avoidable injury, such number of beaver as may be designated by the commission, for delivery to zoological parks or collections or for transplantation to other localities within the state; all others shall be killed and skinned with care to conserve the value of the skins, which shall be shipped without delay to Madison, consigned to the state conservation commission.

(4) Sale and disposition of proceeds. All such skins shall be sold by the commission, in the manner of a sale of confiscated game, and the proceeds paid into the conservation fund.

(5) In Price, Rusk, and Sawyer counties. Licenses for the taking, catching or killing of beaver in Price, Rusk, and Sawyer

counties during the open season therefor, as provided in subdivision (a) of subsection (3m) of section 62.16, may be issued by the conservation commission to residents who duly apply therefor and no person shall take, catch or kill beaver in said counties without procuring such a license. Said license shall cover the period for the month of December in the year for which the same was issued and the fee therefor shall be two dollars and fifty cents for each such license. No skin of any beaver taken, caught or killed under said license shall be delivered, transported or shipped unless it has attached thereto a distinctive tag to be prescribed and furnished by the state conservation commission. Licensees shall dispose of all beaver skins on or before the twentieth day of January following the date of the issuance of the license and every licensee shall on or before the thirtieth day of January following the date of the issuance of his license return the same to the state conservation commission for cancellation together with a complete report on a blank to be furnished by the said commission stating the number of beavers taken, caught or killed, the name of the town in which the same were taken, caught or killed, the disposition of the hides and the amount received therefor. Any resident of Price, Rusk and Sawyer counties who have suffered or is likely to suffer damage because of any beaver dam on his land shall notify the game warden of his district of such fact. After the expiration of five days after giving such notice, said resident may open said dam. No resident of said county shall be allowed any claim against this state for damages sustained on account of beaver during the years 1917 and 1918.

(6) Penalty. Violations of this section shall be punished by a fine of not less than two hundred nor more than five hundred dollars, or by imprisonment in the county jail not less than nine months nor more than one year, or by both such fine and imprisonment.

29.595 DEER CAUSING DAMAGE. Upon complaint in writing by the owner or lessee of any lands, to the state conservation commission, that deer are causing damage therein the commission shall inquire into the matter; and if upon inspection, investigation, hearing, or otherwise, it shall appear to the satisfaction of the commission that the facts stated in each such complaint are true, it may capture or destroy such deer, and dispose of the same as provided in subsections (3) and (4) of section 29.59.

29.60 BOUNTIES ON WOLVES. (1) Rate of bounty.

The county board of each county shall provide for the payment of a reward to each person who shall kill any wolf or wolf cub within such county, at the following rate: For each wolf cub killed between the first day of April and the first day of September in any year, five dollars; and for each wolf killed at any time, ten dollars. An equal amount shall be paid by the state, in each case, from the appropriation for bounties for the destruction of wolves.

(2) Presentation of claim. Any person claiming such reward shall, at his own expense, deliver the skin of the animal entire with the skull attached at the nose, within six days after the killing of such animal and in well-preserved condition, to the county clerk of the county wherein said animal was killed, together with a certificate in substantially the following form:

To the county clerk of-----county: I, the undersigned, hereby state and declare that on the-----day of-----
-----191-----, in the town of-----, county of-----,
I did kill, or cause to be killed-----mature wolves,-----
-----wolf cubs, the skin-- and head-- of which I herewith present for your inspection. I further declare that I did not raise or rear, or cause to be raised or reared for me, any wolf, nor have I spared the life of any wolf in my power to kill.

Dated this-----day of-----, 191-----
Witness:

(Address)----- Claimant.

(3) Examination of carcass. Thereupon the county clerk and the register of deeds, or their duly authorized deputies, shall make a careful examination to ascertain that the skin is that of a wolf or wolf cub; that it has not been previously marked for bounty, and that the claimant's certificate is true and correct. If the county clerk and register of deeds are unable to identify the skin and skull, they shall transmit the same, for identification, to the state conservation commission; and in any such case the decision of the commission shall be final, and if the skin be found to be of a wolf or wolf cub it shall be returned to the county clerk, except the skull, which may be destroyed by the commission or deposited in some scientific museum.

(4) Payment by county. When convinced that the claim is just and true, the county clerk shall cause the skull, if still attached, to be removed from the skins and destroyed, and the skin to be marked by a longitudinal slit, not less than six inches long, in the scalp between the ears. He shall thereupon draw

an order on the county treasurer for the amount payable by the county on said claim; and he and the register of deeds shall sign in duplicate a certificate in the following form:

We, the undersigned, county clerk and register of deeds, respectively, of _____ county, hereby certify that according to the records and the evidence which we have examined and marked as provided by law, _____, whose post-office address is _____, is entitled to _____ dollars, state bounty on _____ which he certifies _____ killed in the town of _____, county of _____, on the _____ day of _____, 19____, and for which this county has paid him _____ dollars.

Dated at _____, this _____ day of _____, 191____

County Clerk.

Register of Deeds.

(5) Payment by state. One of said duplicates shall be transmitted to the state conservation commission who shall examine and certify such claims, and the amount payable by the state thereon shall be audited and paid, as other state accounts are paid, from the appropriation for bounties for the destruction of wolves.

(6) Return of skin. At the request of the claimant the skin which has been marked for bounty shall be returned to him at his own expense; but the cost of transporting specimens from the county clerk to the state conservation commission shall be borne by the county, and the cost of returning said specimens, or transmitting them to other points for identification for bounties for the destruction of wolves.

(7) Blanks. All blanks required to carry out the provisions of this section shall be furnished by the state conservation commission and charged to the appropriation for bounties for the destruction of wolves; and the chairman and clerk of each town shall obtain from the county clerk and keep on hand blank certificates for the use of claimants.

(8) Poisoned baits for wolves, wildcats and lynxes. For the destruction of wolves, wildcats or lynxes it is lawful to put out baits containing poison between the first day of December and the first day of March, but the same shall not be placed within eighty rods of a dwelling house, and the person putting out such baits shall, before doing so, post in three public places in the town notice of putting out such baits, describing the land

and location where such baits are placed and the date when put out, and within three days after the first day of March shall take up and effectively destroy the same. For the failure or neglect to so post such notices or to so take up and destroy said baits the person so putting out the same shall be liable for all damages resulting therefrom and shall be punished as provided in the last section of this chapter. The same reward shall be paid for any wolf so destroyed by poison as is herein provided for otherwise killing wolves.

29.61 DESTRUCTION OF OTHER INJURIOUS ANIMALS; REWARDS. (1) The county board of any county may direct that every person who shall kill any crow shall be entitled to a reward of not to exceed fifteen cents, or any sharpshinned or cooper's hawk twenty-five cents, or any pocket gopher twenty-five cents, or any streaked gopher ten cents, or any English sparrow four cents, or any blackbird four cents, or any rattlesnake fifty cents.

(2) Any person claiming such reward shall exhibit the head or rattles of the animal so killed to the chairman of the town or the president of the village wherein it was killed and present an affidavit to such president or chairman stating that said head or rattles are of the animal killed by him and that he has not spared the life of any such animal or bird within his power to kill. Such chairman or president shall then issue a certificate in the following form:

STATE OF WISCONSIN }
County of----- } ss.

I,-----, chairman of the town of----- (or president of the village of-----), do certify that----- has this day exhibited to me the head (or rattles) of-----, which he claims to have killed in said town (village). and that the head (or rattles) of said----- was (were) destroyed in my presence, and that the said----- is on presentation of this certificate to the town clerk (village clerk), within twenty days from the date hereof, entitled to an order on the town (village) treasurer for the sum of----- dollars, to be drawn from the general fund of said town (village).

Dated this----- day of-----, 19-----.

Chairman (President)
of the town (village) of-----

(3) The town or village clerk, respectively, shall on the production of the certificate of the chairman of the town, or president of the village, issue to the holder thereof an order on the town or village treasurer, respectively, for the amount stated in said certificate.

(4) The treasurers of the various villages and towns shall, at the close of their accounts on the thirtieth day of October in each year certify to the county clerk the amount of money expended by their respective towns and villages under the provisions of this section. Such treasurer shall attach to the certificate an affidavit stating that the account is just and that his town or village has actually expended the amount therein stated. The certificate and affidavit shall be placed on file in the office of the county clerk and the account shall be audited by the county board and the amount thereof paid to the treasurers of the respective towns and villages from any money in the general fund of the county not otherwise appropriated.

29.62 REMOVAL OF INJURIOUS ROUGH FISH. (1) The state conservation commission is authorized to take rough fish by means of nets, or cause the same to be so taken, from any of the inland waters of this state other than those specified in subsection (2), whenever it shall find that such fish are detrimental to, retard the propagation of, or destroy game fish therein.

(2) The authority granted to the commission by subsection (1) does not extend to Lake Koshkonong; any stream or river flowing into Green Bay or Lake Michigan except that part of the Fox river and its tributaries above the Menasha dam; the Mississippi river, Lake Pepin, Lake St. Croix, and the lakes, bays, bayous and sloughs tributary thereto and connected therewith; and any stream or river flowing into the Mississippi river, within a distance of forty miles above the mouth of such stream or river.

(3) All fish taken under the authority of this section shall be disposed of by the commission to the best interests of the state; and temporary fish ponds may be created in the waters of this state for the purpose of keeping such fish until the same can be advantageously disposed of.

PENALTIES

29.63 GENERAL PENALTY PROVISIONS. (1) Penalties. Any person who, for himself, or by his agent, servant, or employe, or who, as agent, servant, or employe for another,

violates any of the provisions of this chapter shall be punished, respectively, as follows:

(a) For the unlawful use of any gill net in taking, catching or killing fish of any variety in any waters, or for the use of any net in taking, catching or killing trout of any variety in inland waters, by a fine of not less than two hundred nor more than five hundred dollars, or by imprisonment in the county jail not less than nine months nor more than one year, or by both such fine and imprisonment.

(b) For hunting, trapping, fishing, or clamming without a license duly issued, whenever a license therefor is required by the provisions of this chapter, or for hunting, under a receipt or other evidence of having filed an application, in anticipation of the issuance and delivery of such license, or for the violation of any provision relating to deer, by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than one year, or by both such fine and imprisonment.

(c) For the violation of any provision relating to game birds, by a fine of not less than fifty nor more than one hundred dollars, and in addition thereto five dollars for each bird affected by such violation, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment.

(d) For any violation for which no other penalty is prescribed, by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment.

(2) "Person" defined. The word "person" as used in this section includes natural persons, firms, associations, and corporations.

(3) Revocation of license. Upon conviction of any person for any violation under any license issued to such person, such license shall be immediately revoked and canceled, and no license shall be issued to such person for a period of one year thereafter.

(4) Construction of penalty provisions. No penalty prescribed in any section of this chapter shall be held to be diminished because the violation for which it is prescribed falls also within the scope of a more general prohibition.

(5) Presumptions. In any prosecution under this section it shall not be necessary for the state to allege or prove that

the animals were not domesticated or were not taken for scientific purposes, or were taken or in possession or under control without a license or permit therefor; but the person claiming that such animals were domesticated, or were taken for scientific purposes, or were taken or in possession or under control under a license or permit duly issued, shall have the burden of proving such fact or facts.

(6) Reward to informers. Any person other than the regular employes of the state conservation commission, informing of the violation of any provision of this chapter and assisting in the prosecution of the offender to conviction shall receive one-third of any fine imposed and collected thereupon.

SECTION 5. A new section is added to the statutes to be numbered and to read: Section 4562d. Any person who shall break, remove or interfere with any seal or tag attached to any animal, carcass, article or other thing by the state conservation commission, or who shall meddle or interfere with any animal, carcass, article or other thing with such seal or tag attached, or who shall counterfeit any such seal or tag, attached or unattached, shall be punished by a fine of not less than two hundred nor more than five hundred dollars, or by imprisonment in the county jail not less than nine months nor more than one year, or by both such fine and imprisonment.

SECTION 6. Sections 4567d and 4567f of the statutes are amended to read: Section 4567d. Any person who shall enter upon the grounds of any state fish hatchery for the purpose of unlawfully killing or taking any fish therefrom shall be punished by a fine of not less than * * * *one hundred* dollars nor more than * * * *two hundred* dollars, or by imprisonment not less than * * * *thirty* days nor more than * * * *sixty* days.

Section 4567f. Any person who shall injure any fish, or in any manner interfere harmfully with the ponds, streams, troughs or other property of the state fish hatchery, without lawful authority so to do, shall be punished by a fine of not less than * * * *fifty* dollars nor more than one hundred dollars; but this section shall in no wise change or affect any liability for arson or other burnings, nor burglary or other breakings, nor larceny of any property.

SECTION 7. A new section is added to the statutes, to be numbered 172—41 and to read: Section 172—41. All moneys, except fines, accruing to the state by reason of any provision of chapter 29 of the statutes, or otherwise received or collected

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LAWS OF WISCONSIN--Ch. 669.

by each and every person for or in behalf of the state conservation commission, if not payable into the forest reserve fund, shall constitute the "conservation fund" and shall be paid, within one week after receipt, into the state treasury and credited to said fund. No money shall be expended or paid from the conservation fund except in pursuance of an appropriation by law; but any unappropriated surplus in said fund may be expended subject to the approval of the governor, secretary of state, and state treasurer, for additional equipment, new buildings, new hatcheries, or hatchery ponds, property, improvements, increasing the warden force at any particular period, or any other similar special purpose except road work or improvement work on the state parks.

SECTION 8. The section and subsection titles are inserted in this bill for convenience of reference; but are not a part of this enactment.

SECTION 9. This act shall take effect July 1, 1917.

Approved July 12, 1917.

No. 594, S.]

[Published July 16, 1917.

CHAPTER 669

AN ACT to create section 4391m of the statutes, prohibiting the use of dynamite, blasting powder or other explosive for any purpose within the boundaries of any state park of Wisconsin, and providing a penalty.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section is added to the statutes to read: Section 4391m. Any person who discharges or explodes or causes to be discharged or exploded for any purpose any dynamite, blasting powder or other similar explosive at any place or point within the boundaries of any park owned by the state of Wisconsin, unless the use of such explosive is necessary for carrying on works of improvement done by, for or under the authority of the state or done by, for or under the authority of the county or town wherein such park in whole or in part is situated, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than fifty dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than six months, and for a second or subsequent offense by both such fine and imprisonment. This

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First. To supplement the funds in those counties specified in section two of this act, in order to provide a six months school term in each of said counties; Supplements to county funds.

Second. After the provisions of section two have been complied with, then the State Board of Education shall apportion the residue of the funds provided in this section in order to pay the salaries of the county superintendents and assistant superintendents for six months, and all city superintendents, all supervisors not otherwise provided for, all principals of elementary schools having ten or more teachers, and principals of standard high schools, for three months. Apportionment of residue.

County superintendents and assistants.
City superintendents.
Supervisors.
Principals of elementary and high schools.

SEC. 5. That section five thousand four hundred and eighty-eight of the Consolidated Statutes, as amended, be and the same is hereby further amended by adding at the end thereof the following: "*Provided*, that no action in the nature of a writ of mandamus shall be brought against the board of county commissioners to compel said board to levy a rate of taxation greater than the rate authorized by the General Assembly." Proviso: mandamus for increase of tax rate not to lie.

SEC. 6. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 7. This act shall be in full force and effect on and after the date of its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 6

AN ACT TO PROTECT ANIMALS AND GAME IN PARKS AND GAME RESERVATIONS IN EITHER PRIVATE OR PUBLIC PARKS OR PLACES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt, trap, capture, willfully disturb, or kill any animal or bird of any kind whatever, or take the eggs of any bird within the limits of any park or reservation for the protection, breeding, or keeping of any animals, game, or other birds, including buffalo, elk, deer, and such other animals or birds as may be kept in the aforesaid park or reservation, by any person or persons either in connection with the Government of the United States, or any department thereof, or held or owned by any private person or corporation. Protection of game in parks or reservations.

SEC. 2. That any person or persons who shall hunt, trap, capture, willfully disturb, or kill any animal or bird, or take the eggs of any bird of any kind or description in any park or reservation Misdemeanor.

Punishment.

Carrying weapons in parks or reservations. Misdemeanor.

Punishment.

Application of act.

Repealing clause.

as described in section one of this act, at any time during the year, shall be guilty of a misdemeanor, and shall be fined or imprisoned in the discretion of the court for each and every offense.

SEC. 3. That any person who shall carry a pistol, revolver, or gun in any park or reservation such as is described in section one of this act, without having first obtained the written permission of the owner or manager of said park or reservation, shall be guilty of a misdemeanor, or shall be fined or imprisoned, in the discretion of the court, for each and every offense.

SEC. 4. That the provisions of this act shall apply only to that part of the State of North Carolina situated west of the main line of the Southern Railway running from Danville, Virginia, by Greensboro, Salisbury, Charlotte, and Atlanta, Georgia.

SEC. 5. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 7

AN ACT TO CHANGE THE MONTH DURING WHICH ACCOUNTS OF STATE OFFICERS ARE EXAMINED BY COMMISSIONERS OF THE LEGISLATURE.

The General Assembly of North Carolina do enact:

Date changed.

SECTION 1. That section seven thousand six hundred and ninety-two of the Consolidated Statutes be and the same is hereby amended by striking out the word "December" in line six of said section and inserting in lieu thereof the word "July."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 8

AN ACT TO AUTHORIZE THE TREASURER TO BORROW NOT EXCEEDING \$710,000 FOR THE STATE PUBLIC SCHOOL FUND.

Preamble : tax at special session.

Purpose.

Whereas the special session of the General Assembly of one thousand nine hundred and twenty, chapter ninety-one, section one, Public Laws, provided a State tax of thirteen cents for the purpose of paying "one-half the annual salary of the county superintendents and three months salary of all teachers of all sorts

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FIREARMS REGULATIONS IN THE NATIONAL PARKS

1897—1936

May 13, 2008

Background

This information has been compiled to provide National Park Service employees more complete insight into the history of NPS firearms regulations. The first Servicewide regulations were adopted in 1936.¹ Although it has not been widely noted, those regulations prohibited firearms and required that they be surrendered when visitors entered the parks. Visitors could obtain written permission to carry them through the park if the weapons were “sealed.”

The current Servicewide regulations governing weapons in parks were adopted in almost their present form in 1983, and published at 36 CFR 2.4.² However, in 1984, several adjustments were made to:

- a. Make it clear that Alaska had different rules, and individual parks might have some variations in park-specific special regulations.
- b. Re-order some of the wording to make it easier to follow.
- c. Add a definition of what constitutes a “residential dwelling.”
- d. Add the word “temporarily” in front of the word “inoperable.”
- e. Clarify that the regulations applied on privately owned lands and waters under the legislative jurisdiction of the US.
- f. Add a definition for the word “unloaded.”

Item 1.e above was further amended in 1987 to clarify that the regulations apply “regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the U.S.”

Prior to adoption of the 1936 Servicewide regulations, parks adopted park-specific regulations prohibiting weapons—the first (apparently) being Yellowstone National Park in 1897. Attached is a compilation of those regulations. Due to difficulty in retrieving archival materials, there are some gaps in this compilation. We will continue our efforts to fill these gaps, so check www.nps.gov/policy/Firearms.pdf to ensure you have the latest edition. We invite park superintendents to provide the NPS Office of Policy any additional information they may have that would help in this effort.

¹ The 1936 regulations are on-line at <http://www.nps.gov/policy/1936Regulations.pdf>

² 36 CFR 2.4 is on-line at http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/36cfr2.4.pdf

**FIREARMS REGULATIONS
1897 – 1936**

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**FIREARMS REGULATIONS
1897 – 1936**

YELLOWSTONE NATIONAL PARK³

1. Regulations of June 1, 1897 –

(5) Hunting or killing, wounding or capturing, of any bird or wild animal, except dangerous animals, when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits⁴, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed in the park under other circumstances than prescribed above, will be forfeited to the United States, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

“Rules and Regulations of the Yellowstone National Park,” June 1, 1897. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1898, Miscellaneous Reports [vol. 3]* (Washington: Gov’t Printing Office, 1898), p. 972. See also, Act of May 7, 1894, ch. 72, 28 Stat. 73, in particular, §4 (28 Stat. 74).

N.B. In his report to the Secretary of August 31, 1897, the acting superintendent, Maj. Gen. S.B.M. Young, United States Volunteers (Colonel Third Cavalry), wrote in connection with this regulation:

Carrying Firearms through the Park

The custom of carrying firearms through the park has been almost universal among those who live in the neighboring States and travel in their own conveyances, or on saddle animals accompanied by pack animals. During the first half of the season it was found that many firearms, fastened with red tape and sealing wax at the point of entry, had broken seals at the point of exit. In many cases it was evident that the seals were broken by accident; others showed signs of having been broken and resealed. To remedy this a new system of sealing has been adopted similar to that used by express companies

The regulation prohibiting firearms in the park, except on written permission from the superintendent [in which case the arms were sealed], has been strictly enforced. It is essential to the protection of the park.

³ The very first park regulations were apparently promulgated by Secretary of the Interior Columbus Delano at the time of the dedication of YELL. They are attached hereto as Appendix A.

⁴ The first park regulations to mention “outfits,” were the YELL regulations of July 1, 1888, reproduced in Appendix C. The interim regulations, dated May 4, 1881, are found in Appendix B.

A certain sentiment of hostility toward the park and of antagonism toward the efforts of the authorities to protect the wild animals from destruction has existed and continues to exist among the ranchers and the people of the settlements near the park boundaries. This feeling of hostility seems to be due to an idea, which prevails widely, that a reservation of any part of the public domain for the perpetual benefit of the whole people is an invasion and an abridgement of the private rights of the people of the adjoining region. This idea naturally arises from an ignorance of the benefits that result from such reservations to the people of the whole country and an equal ignorance of the advantages which accrue to the inhabitants of the immediate vicinity. In consequence of the benefits which have already resulted to this region from the existence of this park as a breeding place from which the surplus game may wander down into the adjoining country where it may be freely taken, and from the opportunities afforded by the park for remunerative employment during the summer season, there is already a marked diminution of this hostile feeling. As these benefits come to be better understood I believe that this hostility will further diminish, and my best efforts shall be devoted to the encouragement of a friendly sentiment toward the park among the citizens of the surrounding country.

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1897. Miscellaneous Reports [vol. 3] (Washington: Gov't Printing Office, 1897), pp. 781-82.

In his report for the year prior to the regulation's adoption, Acting Superintendent Young stated:

Over 200 stand of arms have been taken from persons entering the park by the two main thoroughfares, including those taken from parties found inside, and as a probable resultant, young broods of quail and grouse abound throughout the park. The deer, bear, lynx, fox, coon, tree squirrel, and chipmunk, although not scarce, are not so plentiful as they should be in their natural home in the park. If firearms, hunters, and trappers are kept out of the park they will multiply and become plentiful, and their instinctive fear of man will gradually so lessen in a few years that visitors will be enabled to see and study them in their natural state. These animals drift down below the heavy snow line in winter and the supply that is taken by ranchmen and hunters outside the park boundaries will be a sufficient trimming in numbers to promote a healthful breeding and growth in the natural game nursery within the boundaries.

Report of Secretary of the Interior; Being Part of the Message and Documents Communicated to the Two Houses of Congress at the Beginning of the Second Session of the Fifty-Fourth Congress. In Five Volumes. (Washington: Gov't Printing Office, 1896), vol. III, p. 740.

After the regulation's promulgation, the Sec'y of the Interior commented as follows:

The regulations prohibiting firearms in the park, except under written permission of the superintendent, have been strictly observed, the enforcement thereof being essential to the best interest of the park.

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1897, Report of the Secretary of the Interior [vol.1] (Washington: Gov't Printing Office, 1897), p. LXXXIII.

2. Regulations of April 1, 1899 –

(5) Hunting or killing, wounding, or capturing of any bird or wild animal, except dangerous animals, when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed in the park under other circumstances than prescribed above, will be forfeited to the United States, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

“Rules and Regulations of the Yellowstone National Park,” April 1, 1899. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1900*, p. 535.

3. Regulations of July 1, 1900 –

(5) Hunting or killing, wounding or capturing of any bird or wild animal, except dangerous animals, when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed in the park under other circumstances than prescribed above, will be forfeited to the United States, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1901, Miscellaneous Reports, Part I (Washington: Gov't Printing Office, 1901), p. 540.

4. Regulations of February 7, 1902 –

(5) Hunting or killing, wounding, or capturing of any bird or wild animal, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed in the park under

other circumstances than prescribed above, will be forfeited to the United States, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

“Rules and Regulations of the Yellowstone National Park,” February 7, 1902. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1904. Miscellaneous Reports. Part I. Bureau Officers, etc.* (Washington: Gov’t Printing Office, 1904), p. 367.

Superintendent S.B.M. Young included the following in his annual report for FY ’07:

Evidence of poaching in former unfrequented portions of the park difficult of access have been found particularly in the northwest corner, where within the last fortnight a trapper’s cabin, supplied with provisions, cooking utensils, and bedding, was found . .

.. In addition to the trails shown on the map crossing the boundary lines of the park there are numerous other trails – all originally made by hunters, trappers, and prospectors. There are now four main entrance roads leading into the park – north, east, south, and west – which seem to be sufficient for all purposes concerning the park and for accommodation of visitors. Applications have come to this office from far and near for permission to enter the park on these various trails with arms, in order to pass through the park for the purpose of hunting outside of the park. All such applications for permits to carry guns unsealed through any portion of the park have been refused, but permission to carry sealed guns has been granted to persons who enter the park at one of the regular stations where their guns may be sealed, and make exit at one of the regular stations (their route through the park being particularly specified) where their guns may be unsealed and condition reported upon. Permits to carry game or game trophies through the park have been refused. There has been much adverse criticism by hunters and guides on these rulings, but the best interests of the park demand that it shall no longer continue a thoroughfare for sportsmen, hunters, and game-slaughters.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1907. Administrative Reports in 2 Volumes. (Washington: Gov’t Printing Office, 1907), pp. 551-52.

In 1908, Young added:

Poachers and other violators of the law were arrested in every quarter of the park, and several arrests were made outside the park in Wyoming and Montana on information and evidence furnished by park scouts, and the parties were convicted. It is evident, however, that many poachers escaped arrest. There are not sufficient scouts for thorough protection against poachers.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1908.
Administrative Reports in 2 Volumes. (Washington: Gov't Printing Office, 1908), p. 409.

5. Regulations of July 2, 1908 –

(5) Hunting or killing, wounding or capturing any bird or wild animal, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed in the park under other circumstances than prescribed above, will be forfeited to the United States, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms, traps, nets, seines, or explosives will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Laws and Regulations Relating to the Yellowstone National Park, Wyoming (Washington: Gov't Printing Office, 1908), p. 13.

6. Regulations of May 27, 1911 –

(5) Hunting or killing, wounding, or capturing any bird or wild animal, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed in the park under other circumstances than prescribed above, will be forfeited to the United States, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard parties having firearms, traps, nets, seines, or explosives will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1911.
Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1912), p. 575.

7. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one may frighten, hunt or kill, wound or capture any bird or wild animal in the park, except

dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or traveling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed.

General Information Regarding Yellowstone National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), p. 67.

8. Regulations of February 18, 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Yellowstone National Park (1929), pp. 61-62.

9. Regulations of January 11, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Yellowstone National Park (1930), p. 64.

10. Regulations of December 20, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Yellowstone National Park (1931), pp. 56-57.

11. Regulations of January 23, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

Molesting, teasing, or touching the bears is prohibited. Persons feeding bears do so at their own risk and peril.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animals shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in section 4 of the act of Congress approved May 7, 1894 (28 Stat. 73), entitled: “An act to protect the birds and animals of Yellowstone National Park, and to punish crimes in said park, and for other purposes.”

Circular of General Information Regarding Yellowstone National Park (1932), pp. 57-58.

12. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting, or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

Feeding directly from the hand, touching, teasing, or molesting bears is prohibited. Persons photographing bears do so at their own risk and peril.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction, such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animals shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season, arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the parks.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the parks sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in section 4 of the act of Congress approved May 7, 1894 (28 Stat. 73), entitled: “An act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes.”

General Information Regarding Yellowstone National Park (Washington: Gov’t Printing Office, 1933), pp. 48-49.

SEQUOIA AND GENERAL GRANT NATIONAL PARKS

1. Regulations of Sequoia National Park of June 2, 1902 –

(6) Hunting or killing, wounding, or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person, or persons, violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

“Rules and Regulations of the Sequoia National Park,” June 2, 1902. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1903, Miscellaneous Reports, Part I* (Washington: Gov’t Printing Office, 1903), p. 551.

2. Regulations of General Grant National Park of June 2, 1902 –

(6) Hunting or killing, wounding, or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person, or persons,

violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

“Rules and Regulations of the General Grant National Park,” June 2, 1902. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1903, Miscellaneous Reports, Part I* (Washington: Govt’ Printing Office, 1903), p. 553.

N.B. The acting superintendent of Sequoia and Gen’l Grant National Parks added the following to his annual report for the Fiscal Year ended June 30, 1905:

In my opinion, tourists entering this park have no use for guns. Hunting is at no time permitted, and the game is not threatening or dangerous. The excuse might be offered that the tourists were en route to the forest reserve and were simply taking their guns through. I would therefore recommend that the carrying of guns through the park be permitted only on the Mineral King road, which is a county road, and that it be made generally known that no gun will be permitted within the park at any other place without first obtaining the permission of the acting superintendent, and that this permission be generally denied, except to those for whom the acting superintendent himself could be individually responsible. The sealing of guns would soon lead to the belief that the general right to carry guns in the park exists, and that the absence of one authorized to seal the gun at the point where the park was entered was sufficient justification for entering the park with an unsealed gun. Notices and regulations are soon ignored and lose their effect when privileges begin to be considered as rights, and the work of the rangers and guards is increased, as a practice once tolerated, because of a misunderstanding or mistaken belief, grows into an ungovernable nuisance and a source of never-ending trouble. I therefore consider it best to have it generally known that no persons will be permitted to carry guns in the park, except over the Mineral King road, above mentioned. There would then be no excuse for a man being found in the park with an unsealed gun. Rangers and guards can not be at all points, especially along the reserve, at which people enter.

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1905. Report of the Secretary of the Interior and Bureau Officers, etc. (Washington: Gov’t Printing Office, 1905), pp. 712-13.

The next year, the Secretary of the Interior commented thus:

The rules and regulations were carefully observed by the soldiers, and their duties were performed in a thorough and satisfactory manner. The visitors to the parks seemed disposed to confirm to all the requirements, while the residents in the vicinity of the parks seemed interested in having the regulations obeyed. Violations of the regulations occurred in but two instances: A man brought a pistol into Sequoia Park without having it sealed; it was taken from him and will be held until the close of the season. Another man was found hunting in Sequoia Park; his gun was taken from him and he was ejected from the park.

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1906. Report of the Secretary of the Interior and Bureau Officers, etc. (Washington: Gov't Printing Office, 1906), p. 203

3. Regulations [of both parks] of March 30, 1907 –

(6) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person, or persons, violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Laws and Regulations Relating to the Sequoia and General Grant National Parks, California (Washington: Gov't Printing Office, 1908), pp. 9, 11.

4. Regulations of March 30, 1912 –

(6) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person, or persons, violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), p. 683.

5. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one may frighten, hunt or kill, wound or capture any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild

animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed.

General Information Regarding Sequoia and General Grant National Parks – Season of 1918
(Washington: Gov't Printing Office, 1918), pp. 33-34.

6. Regulations of January 14, 1928 –

(4) *Hunting*.—The parks are sanctuaries for wild life of every sort and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said parks.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description, used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of said parks, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said parks, or either of them, of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the parks except upon written permission of the superintendent. Visitors entering or traveling through the parks to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the parks sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress, approved June 2, 1920 (41 Stat. 732), accepting the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

This act by its terms applies to all lands within said parks, whether in public or private ownership.

Circular of General Information Regarding Sequoia and General Grant National Parks
(Washington: Gov't Printing Office, 1928), p. 23.

7. Regulations of January 2, 1930 –

(4) *Hunting*.—The parks are sanctuaries for wild life of every sort and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said parks.

Molesting, teasing, or touching the bears is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description, used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of said parks shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said parks, or either of them, of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the parks except upon written permission of the superintendent. Visitors entering or traveling through the parks to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the parks sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress approved June 2, 1920 (41 Stat. 732), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

This act by its terms applies to all lands within said parks, whether in public or private ownership.

Circular of General Information Regarding Sequoia and General Grant National Parks (1930), p. 33-34.

8. Regulations of December 6, 1930 –

(4) *Hunting*.—The parks are sanctuaries for wild life of every sort and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said parks.

Molesting, teasing, or touching the bears is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description, used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of said parks shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said parks, or either of them, of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the parks except upon written permission of the superintendent. Visitors entering or traveling through the parks to places beyond shall, at entrance, report and surrender all firearms,

traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the parks sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress approved June 2, 1920 (41 Stat. 732), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

This act by its terms applies to all lands within said parks, whether in public or private ownership.

Circular of General Information Regarding Sequoia National Park and General Grant National Park (1931), pp. 43-44.

9. Regulations of December 21, 1932 –

(4) *Hunting*.—The parks are a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the parks.

Feeding directly from the hand, touching, teasing, or molesting bears is prohibited. Persons photographing bears do so at their own risk and peril.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of the parks shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction, such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said parks of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the parks carcasses of birds or animals killed outside of the parks.

Firearms are prohibited within the parks except upon written permission of the superintendent. Visitors entering or traveling through the parks to places beyond shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the parks sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress approved June 2, 1920 (41 Stat. 732),

accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

This act by its terms applies to all lands within said parks, whether in public or private ownership.

General Information Regarding Sequoia and General Grant National Parks (Washington: Gov't Printing Office, 1933), pp. 37-38.

YOSEMITE NATIONAL PARK

1. Regulations of June 2, 1902 –

(6) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

“Rules and Regulations of the Yosemite National Park,” June 2, 1902. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1903, Miscellaneous Reports, Part I* (Washington: Govt' Printing Office, 1903), p. 526.

In his Annual Report for 1905, Secretary Hitchcock commented on Yosemite's firearm regulation as follows:

The duty of enforcing the regulation prohibiting the killing of game in the park continues to be a matter of considerable difficulty. Heretofore the custom has been to require persons entering the park with firearms in their possession to surrender such arms during their stay in the park, or, when the parties desired to leave the reservation by a different route, the arms were sealed up and delivered to the owners, with a permit to carry the sealed arms through the park. It has been found, however, that this system afforded no protection to the game in the park, inasmuch as persons entering the reservation with the object of hunting would have their arms sealed up by the first detachment of troops they met and as soon as they were out of sight would break the seals; thereafter, if they met other troops, they would claim that their arms had not been previously sealed; and there being no means of disproving this statement, the second detachment could only again put seals upon the weapons, to be a second time broken, so that the owners could use the weapons in violation of the park regulations.

Owing to this practice, the sealing of arms has been discontinued during the past season, and persons entering the park have been required by the first patrol they encountered to surrender any weapons in their possession. A large number of applications for permits to carry rifles and shotguns into the park for alleged “protection” were received; but as the applicants declined to give any information regarding their plans and purposes, only one such request was granted. In the case of parties of tourists consisting partly of women permits to carry revolvers were given to some of the men in the party. Notwithstanding these precautions, it has been impracticable to prevent entirely the killing of game in the park, as entrance thereto can be had at almost any point, and hunters can thus sometimes evade the various detachments of troops patrolling the reservation.

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1905. Report of the Secretary of the Interior and Bureau Officers, etc. (Washington: Gov’t Printing Office, 1905), pp. 165-66.

Captain H.C. Benson, Fourth Cavalry, the acting superintendent of Yosemite reported as follows:

Permits to Carry Arms

Numerous letters have been prepared at the instance of one Congressman, requesting that a number of parties who are desirous of making trips through the park be permitted to carry firearms for their protection, promising to conform to all the regulations. Regulations positively prohibit the killing of game. The carrying of firearms in the Yosemite National Park, or any national park, means that the person so carrying them is on a hunting trip; and it is so recognized throughout this part of the country. These letters were never presented, as stated in the body of the letter, but were always mailed to the acting superintendent by the party desiring a permit, with the request that the permit be forwarded to him saying nothing, however, about his intention of conforming to the rules and regulations. Letters were therefore addressed to these people, requesting that they inform the acting superintendent of the date when they expected to reach the park, where they expected to enter, what places they expected to visit, and how long they expected to remain, requesting also a statement from each member of the party that the arms would not be used for the killing of game. In no instance whatever have these questions been answered. In some cases the letters were not answered at all, while in other instances their reply simply was that the party had changed his mind and would not visit the Yosemite, and others, again, stated that they had decided not go on a camping trip this year. The spectacle of from five to seven men arriving on the park limits on the first day of the “open” season, each an provided with a rifle, and the majority of them with shotguns also, all for the purpose of “protection,” would be an amusing one were it not for the fact that it meant the slaughter of game within the park. Under the circumstances, but one such permit was granted. Permits were given for the carrying of revolvers by men when they were accompanied by women, but in no other cases.

It was positively known to the acting superintendent that the sealing of arms in previous years was but a farce, as the seals were broken immediately upon leaving the detachments, in many cases, and that when the next detachment was encountered the statement was made that the guns had not been previously sealed. As there was nothing to disprove this statement, the guns would be again sealed to be again broken and used in violation of park regulations. For this reason, arms have not been sealed this season.

The protection of game is a very difficult matter, due to the fact that entrance can be had to the park at almost any point whatever, and to the fact that all of the inhabitants of this region believe that the game in the mountains belongs to them. With the withdrawal of the troops, there is absolutely nothing to prevent the annual influx of hunters. The game having been driven from the higher mountains by the snow and having grown quite tame during the summer from not being interfered with or frightened, fall easy prey to the unscrupulous.

Id. at 697-98.

In his report for the Fiscal Year ended June 30, 1906, Secretary Hitchcock stated:

[According to the Yosemite superintendent] the Yosemite Valley has, under the control of the State of California, been a death trap to game unfortunate enough to enter it. Practically every person living in the valley kept a rifle, shotgun, and revolver, and game of every description was considered legitimate prey. It is hoped that within a short time, now that the rules and regulations prescribed by the Department for the protection of game can be enforced in Yosemite Valley, that the game will soon learn that it is a safe retreat and not a death trap.

The rules do not permit the carrying of firearms in the park. In the early part of the season two men were arrested by the park rangers for killing deer in the park; they were prosecuted under the State game laws and each fined

Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1906. Report of the Secretary of the Interior and Bureau Officers, etc. (Washington: Gov't Printing Office, 1906), p. 195.

The acting superintendent gave an example of the constant battle against poaching in his annual report:

In the latter part of August, 1906, a letter was received from the Department stating that Mr. W.T. Scoon, of Modesto, Cal., with a party of friends, would make a trip through the reservation for protection, promising to conform to all the regulations. Notice was received by me from Mr. Scoon on September 5 that it was his purpose, with his party of four, to leave Modesto on or about the 10th of September. I thereafter requested him to advise me as to the names of the people who would compose his party and the point at which he expected to enter the park, in order to make arrangements for their reception at the point of entrance, to which he replied,

under date of September 11, stating “We will go up on the Oak Flat road by the way of Crockers and there will be in the party A.N. Crow, R.B. Crow, James Klo, and myself, and the party expects to leave Modesto September 13.”

As there is absolutely no reason for carrying firearms for “protection” in the park, and the rules do not permit the carrying of firearms, and noting that the two members of this party, namely, the Crow Brothers, have on previous occasions killed game in the park when they were carrying firearms under a permit in which they had stipulated to conform to the rules and regulations, I sent an officer and two men to accompany this party in order that they might secure the “protection” they desired. They seemed much surprised and greatly put out that they were to be furnished with this protection. They stated that they had no intention whatever of hunting generally, but desired only to kill two or three bucks, just sufficient for their own use. They remained several days, debating whether they would go on the trip if they were not permitted to hunt, but finally moved to Poopenaut Valley, remained there several days, then went to Lake Eleanor for a few days, and finally left the park. It was undoubtedly their intention of going on a hunting trip pure and simple, as each man carried a rifle and a shotgun and they were provided with thirty days’ rations. They remained in the park but ten days. It was not “protection” they desired of their firearms, but a definite intention to violate the rules and regulations of the park by hunting.

. . . . Immediately upon the withdrawal of the troops from the park it is overrun with pot hunters, and these same men often remain throughout the entire winter, killing and trapping all the game in their vicinity.

As the park can be entered from all points of the compass it is impracticable to keep these hunters out except by constant patrolling on the part of troops or rangers. As the rangers live, one on the south side and the other to the far southwest of the park, and make no attempt to patrol except a few miles from the residence of one, and that only on a wagon road, their services during winter are of but little value, and the game receives scarcely any protection from them.

Id. at 653-54.

2. Regulations of February 29, 1908⁵ –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or

⁵ In connection with YOSE, as early as 1896 the Sec’y of the Interior noted that “all persons [were] required to surrender” firearms, no permits for their carry being issued. Given “the depredations upon the game and song birds” it was felt that this policy was necessary, in order “[t]o prevent as far as possible trespass and flagrant violation of the rules of the park during the close-season . . . of California.” The Sec’y went on to state that “[p]ersons entering by trails from the north and east on which there were no permanent guard posts, were, when discovered, disarmed by patrol parties. Notwithstanding the adoption of such stringent measures firearms have been occasionally smuggled in by campers.” *Report of the Secretary of the Interior* [etc.] (Washington: Gov’t Printing Office, 1896), vol. 1, p. CV.

means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Laws and Regulations Relating to the Yosemite National Park, California (Washington: Gov't Printing Office, 1908), p. 15.

3. Regulations of June 1, 1909 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms, traps, nets, seines, or explosives, will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1909. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1910), p. 436.

4. Regulations of March 30, 1912 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms, traps, nets, seines, or explosives, will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), pp. 670-71.

5. Regulations of May 11, 1914 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms, traps, nets, seines, or explosives, will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1914. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1915), p. 738.

In his annual report for Fiscal Year 1916, the superintendent addressed the firearms regulation as follows:

Approximately 1,500 firearms of various sorts and calibers have been sealed or taken up during the year. At present firearms carried by through automobile passengers are sealed and the owners are permitted to retain possession. In such cases the number of guns sealed is stated on the permit and the seals are broken by the ranger at the point of exit. Those brought into the park by people on foot or horseback are taken up and turned in to the supervisor's office, whence they are shipped to the owner at the latter's risk. This method of handling firearms has proven very satisfactory. There should, however, be incorporated in the firearms regulations a clause stating, in effect, that in cases where arms once sealed are later found with seals broken, or in cases where arms are brought into the park unsealed in direct violation of the regulations, or in cases where there is any attempt to evade the regulations by denial of possession or concealment, said arms shall be promptly confiscated and the party shall forfeit all claim thereto.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1916. Volume I (Washington: Gov't Printing Office, 1917), p. 794.

For Fiscal Year 1917, the superintendent noted:

Firearms to the number of 1,794, of various classes, were handled by the ranger department during the year. Of these 1,236 were sealed at the park entrances, and 558 were taken up by the park rangers at various points and were later returned to their respective owners. The method of handling firearms was the same as that used through the latter part of the 1916 season. Firearms carried by automobile passengers are sealed at the park entrance and are allowed to remain in the possession of the owner. In this case the number of guns sealed is noted on the permit by the ranger issuing the permit and the seals are in turn broken by the ranger at point of exit. Those brought into the park by people on foot or horseback are taken up and turned into the supervisor's office, whence they are shipped to the owners at the latter's risk. Likewise, in cases where persons are found in the park with firearms which have not been sealed, such firearms are taken up and handled in the same manner. In the latter case, unless the owner can readily explain the reason for carrying unsealed firearms, additional penalties in the way of fines are imposed.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1917. Volume I (Washington: Gov't Printing Office, 1918), p. 935.

6. Regulations in effect April 15, 1918 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and no one may frighten, hunt or kill, wound or capture any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or traveling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed.

General Information Regarding Yosemite National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), pp. 33-34.

7. Regulations of November 24, 1928 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, trapping,

ensnaring, or capturing birds or wild animals within the limits of said park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE. The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress, approved June 2, 1920 (41 Stat. 732), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

This act by its terms applies to all lands within said park whether in public or private ownership.

Circular of General Information Regarding Yosemite National Park (1929), pp. 41-42.

8. Regulations of January 14, 1930 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of said park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

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This act by its terms applies to all lands within said park whether in public or private ownership.

Circular of General Information Regarding Yosemite National Park (1930), p. 45.

9. Regulations of December 8, 1930 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of said park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress, approved June 2, 1920 (41 Stat. 732), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

This act by its terms applies to all lands within said park whether in public or private ownership.

Circular of General Information Regarding Yosemite National Park (Washington: Gov't Printing Office, 1931), pp. 45-46.

10. Regulations of January 13, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or

animals shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 5 and 6 of the act of Congress approved June 2, 1920 (41 Stat. 732), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park . . . and for other purposes.

This act by its terms applies to all lands within said park whether in public or private ownership.

Circular of General Information Regarding Yosemite National Park (1932), pp. 42-43.

11. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the parks.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Feeding directly from the hand, touching, teasing, or molesting bears is prohibited. Persons photographing bears do so at their own risk and peril.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park

officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

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This act by its terms applies to all lands within said parks, whether in public or private ownership.

General Information Regarding Yosemite National Park (Washington: Gov't Printing Office, 1933), pp. 34-35.

MESA VERDE NATIONAL PARK

1. Regulations of March 19, 1908 –

(8) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than those prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will be permitted in the park only on written permission from the superintendent thereof.

Laws and Regulations Relating to the Mesa Verde National Park, Colorado (Washington: Gov't Printing Office, 1908), p. 9.

2. Regulations of March 30, 1912 –

(8) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will be permitted in the park only on written permission from the superintendent.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), pp. 715-16.

3. Regulations in effect April 15, 1918 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort and no one should frighten, hunt or kill, wound or capture any bird or wild animal in the park except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

General Information Regarding Mesa Verde National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), p. 47.

4. Regulations of December 11, 1928 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mesa Verde National Park (Washington: Gov't Printing Office, 1929), p. 54.

5. Regulations of March 1, 1930 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mesa Verde National Park (Washington: Gov't Printing Office, 1930), p. 56.

6. Regulations of January 8, 1931 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers

authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mesa Verde National Park (Washington: Gov't Printing Office, 1931), p. 57.

7. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting, killing, wounding, capturing, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season, arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

General Information Regarding Mesa Verde National Park (Washington: Gov't Printing Office, 1933), pp. 55-56.

CRATER LAKE NATIONAL PARK

1. Regulations of August 27, 1902 –

(4) Hunting or killing, wounding or capturing, any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation.

Firearms will only be permitted in the park on written permission from the superintendent thereof.

“Rules and Regulations of the Crater Lake National Park,” August 27, 1902. *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1903. Miscellaneous Reports. Part I. Bureau Officers, etc.* (Washington: Gov’t Printing Office, 1903), p. 567.

2. Regulations of June 10, 1908 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Laws and Regulations Relating to the Crater Lake National Park, Oregon (Washington: Gov’t Printing Office, 1908), p. 6.

N.B. In his annual report for Fiscal Year 1911, superintendent W.F. Arant addressed the system of surrendering firearms upon arrival thus:

During the last season all guns were taken at the superintendent’s office, checked, and returned upon presentation of the coupon when the visitor was ready to depart from the park.

As a matter of safety and a prevention of violation of the rules and regulations of the reserve this mode was not objectionable, but was laborious and somewhat inconvenient to both the management of the park and the public. Under this method there are usually from 20 to 50 guns in the office all the time. I made requisition to the department for gun seals, such as are used in the Yellowstone Park, with instructions regarding their use.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1911. Administrative Reports in 2 Volumes. Volume I (Washington: Gov’t Printing Office, 1912), p. 657.

3. Regulations of March 30, 1912 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or

means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), p. 730.

4. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one should frighten, hunt or kill, wound or capture any bird or wild animal in the park except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

General Information Regarding Crater Lake National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), pp. 14-15.

5. Regulations of January 19, 1928 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals, when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals or in possession of game killed on the park lands under circumstances other than prescribed above shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited

in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officers nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Crater Lake National Park (Washington: Gov't Printing Office, 1929), p. 13.

6. Regulations of December 28, 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals, when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases, may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officers, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Crater Lake National Park (Washington: Gov't Printing Office, 1930), p. 13.

7. Regulations of January 14, 1931 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals, when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of

the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Crater Lake National Park (1931), pp. 14-15.

8. Regulations of January 15, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE. The foregoing regulation is in effect a declaration of the law on this subject contained in section 4 and 5 of the act of Congress approved August 21, 1916 (39 Stat. 521), accepting cession by the State of Oregon of exclusive jurisdiction of the lands embraced in the Crater Lake National Park, and for other purposes.

This act by its terms applies to all lands within said park whether in public or private ownership.

Circular of General Information Regarding Crater Lake National Park (1932), pp. 22-23.

9. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or wild animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction, such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season, arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets or explosives in their possession to the first park officer and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress approved August 21, 1916 (39 Stat. 521), accepting cession by the State of Oregon of exclusive jurisdiction of the lands embraced in the Crater Lake National Park, and for other purposes.

This act by its terms applies to all lands within said park whether in public or private ownership.

General Information Regarding Crater Lake National Park (Washington: Gov't Printing Office, 1933), pp. 20-21.

MOUNT RAINIER NATIONAL PARK

1. Regulations of August 1, 1903 –

(2) The hunting or killing, wounding or capturing of any bird or wild animal on the Government lands in the park, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. Firearms will only be permitted in the reservation on the written permission of the acting superintendent.

“Regulations Governing Mount Rainier National Park.” *Annual Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1904. Miscellaneous Reports. Part I. Bureau Officers, etc.* (Washington: Gov’t Printing Office, 1904), p. 442.

N.B. In his annual report, the acting superintendent commented on this regulation thus:

Public sentiment very strongly indorses the regulation which prohibits carrying firearms within the limits of the park except by written permit issued by the acting superintendent. This regulation has been thoroughly enforced by the forest rangers without any special difficulty. In one instance they were obliged to take the guns from two men who were in the park under the pretext of being prospectors, but who were actually there to kill whatever large game they might come across. This was not long after the regulation was issued, and they were, perhaps, not at the time aware that guns were prohibited.

Id. at 440.

2. Regulations of June 10, 1908 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Laws and Regulations Relating to the Mount Rainier National Park, Washington (Washington: Gov’t Printing Office, 1908), p. 8.

3. Regulations of March 30, 1912 –

(4) Hunting or killing, wounding, or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), p. 700.

4. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one should frighten, hunt or kill, wound or capture any bird or wild animal in the park except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

General Information Regarding Mount Rainier National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), p. 33.

5. Regulations of November 22, 1928 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and hunting, killing, wounding or capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds, or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines or other property so surrendered to any park officer nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mount Rainier National Park (Washington: Gov't Printing Office, 1929), p. 28.

6. Regulations of December 30, 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and hunting, killing, wounding, capturing, or frightening any bird or wild animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mount Rainier National Park (1930), p. 29.

7. Regulations of December 8, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases, may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers

authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mount Rainier National Park (Washington: Gov't Printing Office, 1931), pp. 28-29.

8. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress approved June 30, 1916 (39 Stat. 243), accepting cession by the State of Washington of exclusive jurisdiction of the lands embraced within the Mount Rainier National Park.

This act by its terms applies to all lands within said park whether in public or private ownership.

General Information Regarding Mount Rainier National Park (Washington: U.S. Gov't Printing Office, 1933), pp. 27-28.

PLATT NATIONAL PARK⁶

Regulations of June 10, 1908 –

(6) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Laws and Regulations Relating to the Platt National Park, Oklahoma (Washington: Gov't Printing Office, 1908), pp. 11-12.

WIND CAVE NATIONAL PARK

1. Regulations of June 10, 1908 –

(5) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

Laws and Regulations Relating to the Wind Cave National Park, South Dakota (Washington: Gov't Printing Office, 1908), p. 7.

2. Regulations of March 30, 1912 –

(5) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or

⁶ Originally Sulphur Springs Reservation, renamed and redesignated Platt National Park June 29, 1906; combined with Arbuckle National Recreation Area and additional lands and renamed and redesignated Chickasaw National Recreation Area March 17, 1976.

inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the supervisor and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the supervisor thereof.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1915. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1916), p. 1046.

3. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one may frighten, hunt or kill, wound or capture any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed.

General Information Regarding Wind Cave National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), pp. 16-17.

4. Regulations of March 8, 1926 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this

regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines or other property so surrendered to any park officer nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Wind Cave National Park (Washington: Gov't Printing Office, 1929), pp. 9-10.

5. Regulations of December 28, 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Wind Cave National Park (1930), pp. 9-10.

6. Regulations of December 2, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory

evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed.

The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Wind Cave National Park (Washington: Gov't Printing Office, 1931), pp. 9-10.

7. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park, under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation.

During the hunting season, arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

General Information Regarding Wind Cave National Park (Washington: U.S. Gov't Printing Office, 1933), pp. 9-10.

8. Regulations in effect 1933 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting, killing, wounding, frightening, capturing or attempting to capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from

destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park, under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the Office of National Parks, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation.

During the hunting season, arrangements may be made at entrance stations to identify and transport through the park carcasses of birds or animals killed outside of the park.

Firearms and traps are prohibited within the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender, if required, all firearms, traps, seines, nets or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

General Information Regarding Wind Cave National Park (Washington: Gov't Printing Office, 1934), p. 11.

GLACIER NATIONAL PARK

1. Regulations of December 3, 1910 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms, traps, nets, seines, or explosives will turn them over to the officer in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Laws, Regulations, and General Information Relating to Glacier National Park, Montana 1910 (Washington: Gov't Printing Office, 1911), p. 6.

2. Regulations of March 30, 1912 –

(4) Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard parties having firearms, traps, nets, seines, or explosives will turn them over to the sergeant in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), p. 752.

3. Regulations of May 13, 1914 –

(4) Hunting or killing, wounding, or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof. On arrival at the first station of the park guard, parties having firearms, traps, nets, seines, or explosives will turn them over to the officer in charge of the station, taking his receipt for them. They will be returned to the owners on leaving the park.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1914. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1915), p. 833.

4. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one should frighten, hunt or kill, wound or capture any bird or wild animal in the park except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than

prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

General Information Regarding Glacier National Park – Season of 1918 (Washington: Gov't Printing Office, 1918), p. 65.

5. Regulations of December 12, 1928 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, pursuing, or capturing at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE. The foregoing regulation is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress, approved August 22, 1914 (38 Stat. 700) accepting cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park.

This act by its terms applies to all lands within the park, whether in public or private ownership.

Circular of General Information Regarding Glacier National Park (1929), pp. 33-34.

6. Regulations of March 6, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, pursuing, or capturing at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited, within the limits of said parks.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—This paragraph is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress approved August 22, 1914 (38 Stat. 700), accepting the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park.

This act by its terms applies to all lands within the park, whether in public or private ownership.

Game killed or taken within the park, and firearms in possession therein, in violation of these regulations, shall be forfeited to the United States, and any employee of the park assigned to police duty shall have authority to search without a warrant any automobile or other vehicle, or any container therein, for such game or firearms and to seize the same if found, when he has reasonable grounds for belief that the automobile or other vehicle, or container therein, contains game or firearms subject to forfeiture as provided herein.

Circular of General Information Regarding Glacier National Park (Washington: Gov't Printing Office, 1930), p. 33.

7. Regulations of December 3, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, pursuing, or capturing at any time of any bird or wild animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no

responsibility for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Game killed or taken within the park, and firearms in possession therein, in violation of these regulations, shall be forfeited to the United States, and any employee of the park assigned to police duty shall have authority to search without a warrant any automobile or other vehicle, or any container therein, for such game or firearms and to seize the same if found, when he has reasonable grounds for belief that the automobile or other vehicle, or container therein, contains game or firearms subject to forfeiture as provided therein.

NOTE.—This paragraph is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress approved August 22, 1914 (38 Stat. 700), accepting cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park.

This act by its terms applies to all lands within the park, whether in public or private ownership.

Circular of General Information Regarding Glacier National Park (1931), pp. 29-30.

8. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

Feeding directly from the hand, touching, teasing, or molesting bears is prohibited. Persons photographing bears do so at their.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction, such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season, arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress approved August 22, 1914 (38 Stat.

700), accepting cession by the State of Montana of exclusive jurisdiction of the lands embraced within the National Park.

This act by its terms applies to all lands within said park whether in public or private ownership.

General Information Regarding Glacier National Park (Washington: Gov't Printing Office, 1933), p. 23.

ROCKY MOUNTAIN NATIONAL PARK

1. Regulations of May 29, 1915 –

(5) The park is a sanctuary for wild life of every sort, and no one should frighten, hunt or kill, wound or capture any bird or wild animal in the park except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

(6) The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, must be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the supervisor. Visitors entering or travelling through the park to places beyond should, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

“Rules and Regulations Approved May 29, 1915.” *Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1915, Administrative Reports in 2 Volumes* (Washington: Gov't Printing Office) vol. 1, p. 1124.

In his annual report for Fiscal Year 1916, the superintendent added:

There is no evidence of the slaughter of game during the past year in the park, a strict vigilance having been kept during the winter months for hunters and trappers. Mountain sheep are plentiful and no doubt increasing, and have been seen more frequently by tourists than in former years. It is now possible to approach them quite closely, and one instance is known where an automobile came within 30 feet of a group which did not disturb them. One ranger reports seeing 182 in one group near Specimen Mountain.

Firearms are not allowed in the park and notice to this effect is posted at all entrances.

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1916. Volume I (Washington: Gov't Printing Office, 1917), p. 794.

2. Regulations in effect April 15, 1918 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and no one may frighten, hunt or kill, wound or capture any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, must be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms will be permitted in the park only on written permission of the superintendent. Visitors entering or travelling through the park to places beyond must, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed.

General Information Regarding Rocky Mountain National Park – Season of 1918
(Washington: Gov't Printing Office, 1918), pp. 26-27.

3. Regulations of January 17, 1928 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding or capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and, in proper cases, may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines or other property so surrendered to any park officer nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Rocky Mountain National Park (Washington: Gov't Printing Office, 1929), p. 30.

4. Regulations of January 2, 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Rocky Mountain National Park (1930), p. 29.

5. Regulations of December 6, 1930 –

(5) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Rocky Mountain National Park (Washington: Gov't Printing Office, 1931), p. 30.

6. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject contained in sections 4 and 5 of the act of Congress approved March 2, 1929 (45 Stat. 1536), accepting cession by the State of Colorado of exclusive jurisdiction of the lands embraced in the Rocky Mountain National Park.

This act by its terms applies to all lands within said park whether in public or private ownership.

General Information Regarding Rocky Mountain National Park (Washington: U.S. Gov't Printing Office, 1933), p. 26.

HAWAII NATIONAL PARK

1. Regulations in effect 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, wounding, capturing, or frightening any bird or animal in the park, except the wild goat, as provided in Rule 1, is prohibited. Firearms are prohibited in the park except on written permission of the superintendent, who also has authority to waive inquiry as to the possession of firearms by visitors traveling through the park to places beyond.

Circular of General Information Regarding Hawaii National Park (Washington: Gov't Printing Office, 1929), p. 14.

2. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except wild goats and pigs as provided in Rule I, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park, shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction, such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park, except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulations is [sic] in effect a declaration of the law on this subject as contained in sections 4 and 5 of the act of Congress approved April 19, 1930 (46 Stat. 227), to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes.

The act by its terms applies to all lands within said park, whether in public or private ownership.

General Information Regarding Hawaii National Park (Washington: Gov't Printing Office, 1933), p. 17.

ACADIA NATIONAL PARK

1. Regulations in effect 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park is prohibited.

Firearms are prohibited in the park except on written permission of the superintendent.

Circular of General Information Regarding Acadia National Park (Washington: U.S. Gov't Printing Office, 1929), p. 13.

2. Regulations in effect 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park is strictly prohibited. No light shall be used for the purpose of observing the wild life in the park except as authorized in writing by the superintendent.

Firearms are prohibited in the park except on written permission of the superintendent.

Circular of General Information Regarding Acadia National Park (1930), p. 12.

3. Regulations of January 14 and December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park is prohibited. No light shall be used for the purpose of observing the wild life in the park except as authorized in writing by the superintendent.

Firearms are prohibited in the park except on written permission of the superintendent.

Circular of General Information Regarding Acadia National Park (1932), p. 13; *General Information Regarding Acadia National Park* (1933), p. 16.

LASSEN VOLCANIC NATIONAL PARK

1. Regulations in effect 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park is prohibited.

Firearms are prohibited in the park except on written permission of the superintendent.

Circular of General Information Regarding Lassen Volcanic National Park (Washington: Gov't Printing Office, 1929), p. 11.

2. Regulations in effect 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals within the limits of said park, shall be taken

up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having same are guilty of violating this regulation. Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE. The foregoing regulation is in effect a declaration of the law on this subject contained in section 4 and 5 of the act of Congress, approved April 26, 1928 (45 Stat. 463), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Lassen Volcanic National Park, and for other purposes.

This act by its terms applies to all lands within said park, whether in public or private ownership.

Circular of General Information Regarding Lassen Volcanic National Park (1930), pp. 12-13.

3. Regulations of January 14, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE. The foregoing regulation is in effect a declaration of the law on this subject contained in section 4 and 5 of the act of Congress, approved April 26, 1928 (45 Stat. 463), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Lassen Volcanic National Park, and for other purposes.

This act by its terms applies to all lands within said park whether in public or private ownership.

Circular of General Information Regarding Lassen Volcanic National Park (1932), p. 16.

4. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction such forfeiture shall be adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park, except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

NOTE.—The foregoing regulation is in effect a declaration of the law on this subject as contained in sections 4 and 5 of the act of Congress approved April 26, 1928 (45 Stat. 463), accepting cession by the State of California of exclusive jurisdiction of the lands embraced within the Lassen Volcanic National Park, and for other purposes.

The act by its terms applies to all lands within said park, whether in public or private ownership.

General Information Regarding Lassen Volcanic National Park (Washington: Gov't Printing Office, 1933), pp. 16-17.

MOUNT MCKINLEY NATIONAL PARK

1. Regulations in effect 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, and snaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

No game meat shall be taken into the park without prior permission in writing from the superintendent or his nearest representative.

Circular of General Information Regarding Mount McKinley National Park (Washington: Gov't Printing Office, 1929), p. 19.

2. Regulations in effect 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, and snaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

No game meat shall be taken into the park without prior permission in writing from the superintendent or his nearest representative.

Circular of General Information Regarding Mount McKinley National Park (Washington: Gov't Printing Office, 1930), pp. 21-22.

3. Regulations of January 29, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Mount McKinley National Park (1932), pp. 22-23.

ZION AND BRYCE CANYON NATIONAL PARKS

1. Regulations of January 12, 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this

regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent.

Visitors entering or traveling through the park to places beyond shall at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Zion and Bryce Canyon National Parks
(Washington: Gov't Printing Office, 1929), p. 14.

2. Regulations in effect 1931 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent.

Visitors entering or traveling through the park to places beyond shall at entrance report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Zion and Bryce Canyon National Parks
(Washington: Gov't Printing Office, 1931), p. 20.

3. Regulations of February 6, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the

superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Zion and Bryce Canyon National Parks (1932), pp. 20-21.

4. Regulations of December 21, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description, used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park, except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

General Information Regarding Zion and Bryce Canyon National Parks (Washington: Gov't Printing Office, 1933), pp. 16-17.

NATIONAL MONUMENTS

1. Regulations of November 19, 1910⁷ –

(2) No firearms are allowed.⁸

Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I (Washington: Gov't Printing Office, 1913), p. 769.

2. Regulations in effect 1930⁹ –

(5) *Hunting*.—The national monuments are sanctuaries for wild life of every sort, and the hunting, killing, wounding, capturing, or frightening of any bird or wild animal in any monument is strictly prohibited, except poisonous snakes or dangerous animals when it is necessary to prevent them from destroying life or inflicting injury.

Glimpses of Our National Monuments (Washington: U.S. Gov't Printing Office, 1933), p. 71.

N.B. Note that the explicit firearm prohibition of the 1910 regulation has been deleted.

CARLSBAD CAVERNS NATIONAL PARK

Regulations of February 28, 1933 –

(1) Preservation of Natural Features and Curiosities.

* * *

No canes, umbrellas, or sticks of any kind, or firearms or any other explosive material will be permitted to be taken into the caverns.

* * *

⁷ Prior to being promulgated for general application to all national monuments, this same regulation was prescribed for Muir Woods National Monument, on September 10, 1908. *General Information Regarding the National Monuments Set Aside under the Act of Congress Approved June 8, 1906* (Washington: Gov't Printing Office, 1917), p. 9.

⁸ National Monuments administered by the Department of the Interior at the time, and administered by the National Park Service today, include: Devils Tower, Montezuma Castle, El Morro, Chaco Canyon, Muir Woods, Pinnacles, Tumacacori, Mukuntuweap (now part of Zion NP), Natural Bridges, Gran Quivira, Sitka, Rainbow Bridge, Colorado, and Petrified Forest. See, *Reports of the Department of the Interior for the Fiscal Year Ended June 30, 1912. Administrative Reports in 2 Volumes. Volume I* (Washington: Gov't Printing Office, 1913), p. 769.

⁹ National Monuments administered by the National Park Service in 1930: Arches, Aztec Ruins, Capulin Mtn., Casa Grande, Chaco Canyon, Colorado, Craters of the Moon, Devils Tower, Dinosaur, El Morro, Fossil Cycad, Geo. Washington's Birthplace, Glacier Bay, Gran Quivira, Hovenkeep, Katmai, Lewis and Clark Cavern, Montezuma Castle, Muir Woods, Natural Bridges, Navajo, Petrified Forest, Pinnacles, Pipe Spring, Rainbow Bridge, Scotts Bluff, Shoshone Cavern, Sitka, Tumacacori, Verendyre, Wupatki, and Yucca House. *Glimpses of Our National Monuments* (Washington: U.S. Gov't Printing Office, 1930), pp. I-II.

(3) *Hunting*.—The park is a sanctuary for wildlife of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

Story, Isabella F., *Carlsbad Caverns National Park* (Washington: U.S. Gov't Printing Office, 1935), p. 23.

GREAT SMOKY MOUNTAINS NATIONAL PARK

1. Regulations of May 9, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, pursuing, or capturing at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, or taking the eggs of any bird, is prohibited within the limits of said park. Firearms are prohibited within the park except upon written permission of the superintendent.

General Information [Regarding] Great Smoky Mountains National Park (1932), p. 11.

2. Regulations of March 10, 1933 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, pursuing, or capturing at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, or taking the eggs of any bird, is prohibited within the limits of said park. Firearms are prohibited within the park except upon written permission of the superintendent.

General Information Regarding Great Smoky Mountains National Park (Washington: 1933), p. 16.

3. Regulations in effect 1934/35 –

(4) *Hunting*.—The park is a sanctuary for wildlife of every sort, and all hunting or the killing, wounding, frightening, pursuing, capturing or attempting to capture at any time of any bird or wild animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, or taking the eggs of any bird, is prohibited within the limits of said park. Firearms are prohibited within the park except upon written permission of the superintendent. The outfits, including guns, teams, traps, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be forfeited to the United States and may be seized by the officers of the park and held pending the prosecution of any person or persons arrested under the charge of violating this regulation, and upon conviction such forfeiture shall be

adjudicated as a penalty in addition to other punishment. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation. During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

General Information Regarding Great Smoky Mountains National Park (1933¹⁰), p. 16.

GRAND CANYON NATIONAL PARK

1. Regulations of January 16, 1928¹¹ –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and hunting, killing, wounding, capturing, or frightening any bird or animal in the park is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Grand Canyon National Park (Washington: U.S. Gov't Printing Office, 1929), p. 43.

2. Regulations of January 2, 1930 –

¹⁰ While the publication date given on the face of the pamphlet states “1933,” this regulation would appear to be later in date, given that (1) the regulation of March 10, 1933 (see part I at <<http://www.nps.gov/policy/Firearmsregs.pdf>>) appears to have been significantly expanded, and (2) the pamphlet was found in a bound volume of similar brochures dated 1936.

¹¹ In a 1928 article entitled “U.S. National Parks Magnificent Schools,” Dr. Frank Thomas, formerly the park naturalist at Yellowstone, gave potential visitors to the parks a few helpful tips, including the following:

Don't carry any firearms. They'll only be sealed at the park entrance, and you lose the gun and a stiffish fine besides if you tamper with the seal.

The Science News-Letter, Vol. 13, No. 366, American Traveler Number (April 14, 1928), pp. 227, 228.

(4) *Hunting*.—The park is a sanctuary for wild life of every sort and hunting, killing, wounding, capturing, or frightening any bird or animal in the park is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Grand Canyon National Park (Washington: U.S. Gov't Printing Office, 1930), p. 44.

3. Regulations of January 9, 1931 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or animal in the park is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibilities for loss or damage to any firearms, traps, nets, seines, or other property so surrendered to any park officer, nor are park officers authorized to accept responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Grand Canyon National Park (Washington: Gov't Printing Office, 1931), p. 44.

4. Regulations of February 15, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal,

except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Grand Canyon National Park (1932), p. 47.

5. Regulations of December 31, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park, shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, seines, nets, or explosives in their possession to the first park officer, and in proper cases may obtain his written permission to carry them through the park sealed. The Government assumes no responsibility for loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

General Information Regarding Grand Canyon National Park (Washington: Gov't Printing Office, 1933), p. 35.

GRAND TETON NATIONAL PARK

1. Regulations in effect 1929 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent or his authorized representative at the park and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent or his authorized representative.

Circular of General Information Regarding Grand Teton National Park (Washington: U.S. Gov't Printing Office, 1929), p. 17.

2. Regulations in effect 1930 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and hunting, killing, wounding, capturing, or frightening any bird or wild animal in the park, except dangerous animals when it is necessary to prevent them from destroying life or inflicting injury, is prohibited.

The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing birds or wild animals, or in possession of game killed on the park lands under circumstances other than prescribed above, shall be taken up by the superintendent or his authorized representative at the park and held subject to the order of the Director of the National Park Service, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation, and the actual owner was not a party to such violation. Firearms are prohibited in the park except on written permission of the superintendent or his authorized representative.

Circular of General Information Regarding Grand Teton National Park (Washington: U.S. Gov't Printing Office, 1930), p. 16.

3. Regulations of January 29, 1932 –

(4) *Hunting*.—The park is a sanctuary for wild life of every sort, and all hunting or the killing, wounding, frightening, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying life or inflicting personal injury, is prohibited within the limits of the park.

The outfits, including guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons engaged in hunting, killing, ensnaring, or capturing birds or wild animals within the limits of the park shall be taken up by the superintendent and held subject to the order of the Director of the National Park Service. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements may be made at entrance stations to identify and transport through the park, carcasses of birds or animals killed outside of the park.

Firearms are prohibited within the park except upon written permission of the superintendent. Visitors entering or traveling through the park to places beyond, shall, at entrance, report and surrender all firearms, traps, nets, seines, or explosives in their possession to the first park officer, and in proper cases may obtain his written leave to carry them through the park sealed. The Government assumes no responsibility for the loss or damage to any firearms, traps, nets, or other property so surrendered to any park officer, nor are park officers authorized to accept the responsibility of custody of any property for the convenience of visitors.

Circular of General Information Regarding Grand Teton National Park (1932), pp. 15-16.

GENERAL REGULATION¹²

Regulation of June 18, 1936 –

(7) *Protection of wildlife*.—The parks and monuments are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing, or attempting to capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the parks and monuments.

¹² The general regulation states it is “for the proper use, management, government, and protection of, and maintenance of good order in all the National Parks, National Monuments, National Military Parks, National Historical Parks, Battlefield Sites, and miscellaneous memorials which are, or hereafter may be, under the administrative jurisdiction of the National Park Service of the Department of the Interior: *Provided, however*, That these rules and regulations shall not apply to National Cemeteries or to National Capital Parks. All previous rules and regulations . . . except such local subsidiary regulations as are continued in force under the provisions hereof . . . are hereby repealed.” *Id.* Such “subsidiary regulations” included explicit special regulations, such as those for mining in Death Valley National Monument (section 16), and the prohibition on fishing in Muir Woods National Monument (section 9), contained in the general regulation itself. Other park-specific regulations were clearly contemplated therein, for example, those regulating the hours of swimming at Hot Springs National Park (section 2(m)), and restricting the use of spring water at Platt National Park (section 4). No special regulations, either explicit or implicit, were included with respect to firearms. *Id.* at 673-75.

Unauthorized possession within a park or monument of the dead body of any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements must be made at entrance stations to identify and transport through the parks and monuments, where necessary, the carcasses of birds or animals legally killed outside the parks and monuments. Failure to make such arrangements shall be deemed a violation of this regulation.

(8) *Firearms, etc.*—Firearms, explosives, traps, seines, and nets are prohibited within the parks and monuments, except upon written permission of the superintendent or custodian. Visitors entering or traveling through the parks and monuments to places beyond shall, at entrance, report and, if required to do so, surrender all such objects in their possession to the first park or monument officer, and, in proper cases, may obtain his written permission to carry them through the park or monument sealed. Failure to obtain such written permission shall be deemed a violation of this regulation. The Government assumes no responsibility for the loss of, or damage to, any such objects so surrendered to any park or monument officer, nor are park or monument officers authorized to accept the responsibility or custody of any other property for the convenience of the visitors.

1 *Federal Register* 672, 673-74 (June 27, 1936).

APPENDIX A

Original Rules and Regulations of Yellowstone National Park

1st. All hunting, fishing, or trapping within the limits of the Park, except for purposes of recreation, or to supply food for visitors or actual residents, is strictly prohibited; and no sales of fish or game taken within the park shall be made outside of its boundaries.

2nd. Persons residing within the park, or visiting it for any purpose whatever, are required under severe penalties to extinguish all fires which it may be necessary to make, before leaving them. No fires must be made within the park except for necessary purposes.

3rd. No timber must be cut in the park without a written permit from the superintendent.

4th. Breaking the siliceous or calcareous borders or deposits surrounding or in the vicinity of the springs or geysers for any purpose, and all removal, carrying away, or sale of specimens found within the park, without the consent of the superintendent, is strictly prohibited.

5th. No person will be permitted to reside permanently within the limit of the park without permission from the Department of the Interior, and any person now living within the park shall vacate the premises occupied by him within thirty days after having been served with a written notice so to do, by the superintendent or his deputy, said notice to be served upon him in person or left at his place of residence.

Source: *Report of the Secretary of the Interior; Being Part of the Message and Documents Communicated to the Two Houses of Congress at the Beginning of the Third Session of the Forty-Fifth Congress, in Two Volumes* (Washington: Gov't Printing Office, 1878), vol. I, pp. 993-94.

APPENDIX B

1881 Rules and Regulations of Yellowstone National Park

* * *

4. Hunting, trapping, and fishing, except for purposes of procuring food for visitors or actual residents, are prohibited by law; and no sales of game or fish taken inside the Park shall be made for purposes of profit within its boundaries or elsewhere.

* * *

Approved by Sec'y of the Interior S.J. Kirkwood, May 4, 1881.

Source: *Annual Report of the Secretary of the Interior on the Operations of the Department for the Year Ended June 30, 1881, in Four Volumes* (Washington: Gov't Printing Office, 1882), vol. II, p. 819.

APPENDIX C

1888 Rules and Regulations of Yellowstone National Park

* * *

5. Hunting, capturing, injuring, or killing any bird or animal within the Park is prohibited. The outfits of persons found hunting or in possession of game killed in the Park will be subject to seizure and confiscation.

* * *

Approved by Sec'y of the Interior William F. Vilas, July 1, 1888.

Source: *Report of the Secretary of the Interior for the Fiscal Year Ending June 30, 1888. In Six Volumes* (Washington: Gov't Printing Office, 1888), vol. III, p. 656.

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Saturday, June 27, 1936

No. 76

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4649]

WITHHOLDING OF INCOME TAX UNDER SECTIONS 143 AND 144
OF THE REVENUE ACT OF 1936*Collectors of Internal Revenue and Others Concerned:*

Paragraph A. The Revenue Act of 1936 (Public, No. 740, Seventy-fourth Congress, second session, H. R. 12395), was approved by the President, June 22, 1936, 9 p. m. eastern standard time.

Paragraph B. Section 143 (Title I, Income Tax) of the Act, relating to withholding of tax at the source, provides:

SEC. 143. WITHHOLDING OF TAX AT SOURCE.—(a) *Tax-Free Covenant Bonds.*—

(1) *Requirement of withholding.*—In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a corporation, issued before January 1, 1934, contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax, or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon, or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per centum of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods, if payable to an individual, a partnership, or a foreign corporation not engaged in trade or business within the United States and not having any office or place of business therein: *Provided*, That if the liability assumed by the obligor does not exceed 2 per centum of the interest, then the deduction and withholding shall be at the following rates: (A) 10 per centum in the case of a nonresident alien individual (except that such rate shall be reduced, in case of a resident of a contiguous country, to such rate, not less than 5 per centum, as may be provided by treaty with such country), or of any partnership not engaged in trade or business within the United States and not having any office or place of business therein and composed in whole or in part of nonresident aliens, (B) in the case of such a foreign corporation, 15 per centum, and (C) 2 per centum in the case of other individuals and partnerships: *Provided further*, That if the owners of such obligations are not known to the withholding agent the Commissioner may authorize such deduction and withholding to be at the rate of 2 per centum, or, if the liability assumed by the obligor does not exceed 2 per centum of the interest, then at the rate of 10 per centum.

(2) *Benefit of credits against net income.*—Such deduction and withholding shall not be required in the case of a citizen or resident entitled to receive such interest, if he files with the withholding agent on or before February 1 a signed notice in writing claiming the benefit of the credits provided in section 25 (b); nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the Commissioner under section 215.

(3) *Income of obligor and obligee.*—The obligor shall not be allowed a deduction for the payment of the tax imposed by this title, or any other tax paid pursuant to the tax-free covenant clause, nor shall such tax be included in the gross income of the obligee.

(b) *Nonresident aliens.*—All persons, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the United States, having the control, receipt, custody, disposal, or payment of interest (except interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States and not having an office or place of business therein), dividends, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income (but only to the extent that any of the above items constitutes gross income from sources within the United States), of any nonresident alien individual, or of any partnership not engaged in trade or business within the United States and not having any office or place of business therein and composed in whole or in part of nonresident aliens, shall (except in the cases provided for in subsection (a) of this section and except as otherwise provided in regulations prescribed by the Commissioner under section 215) deduct and withhold from such annual or periodical gains, profits, and income a tax equal to 10 per centum thereof, except that such rate shall be reduced, in the case of a nonresident alien individual a resident of a contiguous country, to such rate (not less than 5 per centum) as may be provided by treaty with such country: *Provided*, That no such deduction or withholding shall be required in the case of dividends paid by a foreign corporation unless (1) such corporation is engaged in trade or business within the United States or has an office or

place of business therein, and (2) more than 85 per centum of the gross income of such corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was derived from sources within the United States as determined under the provisions of section 119: *Provided further*, That the Commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent. Under regulations prescribed by the Commissioner, with the approval of the Secretary, there may be exempted from such deduction and withholding the compensation for personal services of nonresident alien individuals who enter and leave the United States at frequent intervals.

(c) *Return and payment.*—Every person required to deduct and withhold any tax under this section shall make return thereof on or before March 15 of each year and shall on or before June 15, in lieu of the time prescribed in section 56, pay the tax to the official of the United States Government authorized to receive it. Every such person is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payments made in accordance with the provisions of this section.

(d) *Income of recipient.*—Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income, but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return.

(e) *Tax paid by recipient.*—If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be re-collected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

(f) *Refunds and credits.*—Where there has been an overpayment of tax under this section any refund or credit made under the provisions of section 322 shall be made to the withholding agent unless the amount of such tax was actually withheld by the withholding agent.

(g) *Withholding before enactment of act.*—Notwithstanding the provisions of subsections (a) and (b), the deduction and withholding for any period prior to the tenth day after the date of the enactment of this Act shall be upon the items of income and at the rates prescribed in section 143 (a) and (b) of the Revenue Act of 1934, as amended, in lieu of the items and rates prescribed in such subsections.

Paragraph C. Section 144 (Title I, Income Tax) of the Act, relating to payment of corporation income tax at the source, provides:

SEC. 144. PAYMENT OF CORPORATION INCOME TAX AT SOURCE.—(a) *General Rule.*—In the case of foreign corporations subject to taxation under this title not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 143 a tax equal to 15 per centum thereof, except that in the case of dividends the rate shall be 10 per centum, and except that in the case of corporations organized under the laws of a contiguous country such rate of 10 per centum with respect to dividends shall be reduced to such rate (not less than 5 per centum) as may be provided by treaty with such country; and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: *Provided*, That in the case of interest described in subsection (a) of that section (relating to tax-free covenant bonds) the deduction and withholding shall be at the rate specified in such subsection.

(b) *Withholding Before Enactment of Act.*—Notwithstanding the provisions of subsection (a), the deduction and withholding for any period prior to the tenth day after the date of the enactment of this Act shall be upon the items of income and at the rates prescribed in section 144 of the Revenue Act of 1934, as amended, in lieu of the items and rates prescribed in such subsection.

Paragraph D. Section 147 (b) (Title I, Income Tax) of the Act, relating to returns of information at the source, provides:

SEC. 147. INFORMATION AT SOURCE.— * * *

(b) *Returns Regardless of Amount of Payment.*—Such returns may be required, regardless of amounts, (1) in the case of payments of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest upon the bonds of and dividends from foreign corporations by persons undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange.

Paragraph E. Section 62 (Title I, Income Tax) of the Act, relating to rules and regulations, provides:

SEC. 62. RULES AND REGULATIONS.—The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title.

Paragraph F. Pursuant to the above-quoted provisions of the Act, the following regulations are hereby prescribed with respect to withholding of tax at the source:

ARTICLE 1. Domestic, foreign, resident, and nonresident persons.—For the purpose of these regulations, a domestic corporation is one organized or created in the United States, including only the States, the Territories of Alaska and Hawaii, and the District of Columbia, or under the law of the United States or of any State or Territory, and a foreign corporation is one which is not domestic. A foreign corporation engaged in trade or business within the United States, or having an office or place of business therein, is referred to in these regulations as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States and not having any office or place of business therein, as a nonresident foreign corporation. A partnership engaged in trade or business within the United States or having an office or place of business therein is referred to in these regulations as a resident partnership, and a partnership not engaged in trade or business within the United States, and not having any office or place of business therein, as a nonresident partnership. As used in these regulations, the term "nonresident alien" includes a nonresident alien individual and a nonresident alien fiduciary.

ART. 2. Withholding tax at source.—(a) *Withholding in general.*—Withholding of a tax of 10 per cent is required in the case of fixed or determinable annual or periodical income paid to a nonresident alien or to a nonresident partnership, composed in whole or in part of nonresident alien individuals, except: (1) income from sources without the United States, including interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States and not having any office or place of business therein, (2) interest upon bonds or other obligations of a corporation containing a tax-free covenant and issued before January 1, 1934, (3) dividends paid by a foreign corporation unless (a) such corporation is engaged in trade or business within the United States or has an office or place of business therein, and (b) more than 85 percent of the gross income of such corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was derived from sources within the United States, as determined under the provisions of section 119, (4) dividends distributed by a corporation organized under the China Trade Act, 1922, to a resident of China, and (5) except that such rate of 10 per cent shall be reduced, in the case of a resident of a contiguous country, to such rate, not less than 5 per cent, as may be provided by treaty with such country.

A tax of 10 per cent must be withheld from interest on bonds or securities not containing a tax-free covenant, or containing a tax-free covenant and issued on or after January 1, 1934, if the owner is unknown to the withholding agent, except where such interest represents income from sources without the United States.

For withholding in the case of income paid to nonresident foreign corporations see article 11.

Resident or domestic fiduciaries are required to deduct the income tax at the source from all fixed or determinable annual or periodical gains, profits, and income paid to nonresident alien beneficiaries, to the extent that such items constitute gross income from sources within the United States. Income paid to a nonresident alien fiduciary which is otherwise subject to the withholding provisions of the Act is not exempt from withholding by reason of the fact that the beneficiaries of the income are citizens or residents of the United States.

A debtor corporation having an issue of bonds or other similar obligations which appoints a duly authorized agent to act in its behalf under the withholding provisions of the Act, is required to file notice of such appointment with the Commissioner of Internal Revenue, Sorting Section, Washington, D. C., giving the name and address of the agent.

If in connection with the sale of its property, payment of the bonds or other obligations of a corporation is assumed

by the assignee, such assignee, whether an individual, partnership, or corporation, must deduct and withhold such taxes as would be required to be withheld by the assignor had no such sale or transfer been made.

For withholding in the case of dividends distributed by a corporation organized under the China Trade Act, 1922, see articles 4 and 12.

(b) *Tax-free covenant bonds issued before January 1, 1934.*—The withholding provisions of section 143 (a) (1) are applicable only to bonds, mortgages, or deeds of trust, or other similar obligations of a corporation which were issued before January 1, 1934, and which contain a tax-free covenant. For the purpose of section 143 (a) (1) bonds, mortgages, or deeds of trust, or other similar obligations of a corporation are issued when delivered. If a broker or other person acts as selling agent of the obligor the obligation is issued when delivered by the agent to the purchaser. If a broker or other person purchases the obligation outright for the purpose of holding or reselling it, the obligation is issued when delivered to such broker or other person. In order that the date of issue of bonds, mortgages, or deeds of trust, or other similar obligations of corporations, containing a tax-free covenant may be readily determined by the owner, for the purpose of preparing the ownership certificates required under these regulations the "issuing" or debtor corporation shall indicate, by an appropriate notation, the date of issue or use the phrase, "Issued on or after January 1, 1934", on each such obligation or in a statement accompanying the delivery of such obligation.

In cases where on or after January 1, 1934, the maturity date of bonds or other obligations of a corporation is extended, the bonds shall be considered to have been issued on or after January 1, 1934. The interest on such obligations is not subject to the withholding provisions of section 143 (a) but falls within the class of interest described in section 143 (b).

In the case of interest upon bonds or other obligations of a corporation containing a tax-free covenant and issued before January 1, 1934, paid to an individual, fiduciary, or a partnership, whether resident or nonresident, withholding of a tax of 2 percent is required, except that if the liability assumed by the obligor in connection with such a covenant does not exceed 2 percent of the interest, withholding is required at the rate of 10 percent in the case of a nonresident alien, or a nonresident partnership composed in whole or in part of nonresident alien individuals, or if the owner is unknown to the withholding agent. The rates of withholding applicable to the interest on bonds or other obligations of a corporation containing a tax-free covenant, and issued before January 1, 1934, are applicable to interest on such obligations issued by a domestic corporation or a resident foreign corporation. However, withholding is not required in the case of interest payments on such bonds or obligations if such interest is not to be treated as income from sources within the United States under section 119 (a) (1) (B) of the Act, and the payments are made to a nonresident alien or a partnership composed in whole of nonresident aliens. A nonresident foreign corporation having a fiscal or paying agent in the United States is required to withhold a tax of 2 percent upon the interest on its tax-free covenant bonds issued before January 1, 1934, paid to a citizen or resident of the United States, individual, or fiduciary, or a partnership any member of which is a citizen or resident.

For withholding in the case of interest upon bonds or other obligations of a corporation containing a tax-free covenant and issued before January 1, 1934, paid to nonresident foreign corporations see article 11.

Bonds issued under a trust deed containing a tax-free covenant are treated as if they contain such a covenant. If neither the bonds nor the trust deeds given by the obligor to secure them contain a tax-free covenant, supplemental agreements executed by the obligor corporation and the trustee containing a tax-free covenant which modify the original trust deeds to that extent are of the same effect from the date of their proper execution as if they had been part of the original deeds of trust, and the bonds from such date are subject to the provisions of section 143 (a), provided ap-

propriate authority exists for the modification of the trust deeds in this manner. The authority must be contained in the original trust deeds or actually secured from the bondholders.

In the case of corporate bonds or other obligations containing a tax-free covenant, issued before January 1, 1934, the corporation paying a Federal tax, or any part of it, for someone else pursuant to its agreement is not entitled to deduct such payment from gross income on any ground nor shall the tax so paid be included in the gross income of the bondholder. The amount of the tax may nevertheless be claimed by the bondholder as a credit against the total amount of income tax due in accordance with section 143 (d). In the case, however, of corporate bonds or other obligations containing an appropriate tax-free covenant, the corporation paying for someone else, pursuant to its agreement, a State tax or any tax other than a Federal tax may deduct such payment as interest paid on indebtedness.

(c) *Withholding under Revenue Act of 1934, as amended.*—The withholding provisions of section 143 and section 144 of the Revenue Act of 1936 (which are merely administrative provisions providing for the collection at the source of the tax imposed under other sections of the Act) do not apply for any period prior to the tenth day after the date of the enactment of that Act, that is, for any period prior to July 2, 1936. For such prior period withholding shall be upon the items of income and at the rates provided by the Revenue Act of 1934, as amended.

ART. 3. *Fixed or determinable, annual or periodical income.*—Only fixed or determinable annual or periodical income is subject to withholding. The Act specifically includes in such income, interest, dividends, rent, salaries, wages, premiums, annuities, compensations, remunerations, and emoluments. But other kinds of income are included, as, for instance, royalties.

Income is fixed when it is to be paid in amounts definitely predetermined. Income is determinable whenever there is a basis of calculation by which the amount to be paid may be ascertained. The income need not be paid annually if it is paid periodically; that is to say, from time to time, whether or not at regular intervals. That the length of time during which the payments are to be made may be increased or diminished in accordance with someone's will or with the happening of an event does not make the payments any the less determinable or periodical. A salesman working by the month for a commission on sales which is paid or credited monthly receives determinable periodical income. The distributable share of the income of an estate or trust from sources within the United States paid by a fiduciary to a nonresident alien beneficiary constitutes fixed or determinable annual or periodical income within the meaning of section 143 (b). The income derived from the sale in the United States of property, whether real or personal, is not fixed or determinable annual or periodical income.

ART. 4 (a). *Exemption from withholding.*—Withholding from interest on corporate bonds or other obligations issued prior to January 1, 1934, containing a tax-free covenant shall not be required in the case of a citizen or resident if he files with the withholding agent when presenting interest coupons for payment, or not later than February 1 following the taxable year, an ownership certificate on Form 1000 stating that his net income does not exceed his personal exemption and credit for dependents. To avoid inconvenience a resident alien should file a certificate of residence on Form 1078 with withholding agents, who shall forward such certificates to the Commissioner of Internal Revenue, Sorting Section, Washington, D. C., with a letter of transmittal.

The income of domestic corporations and of resident foreign corporations is free from withholding.

No withholding from dividends paid by a corporation organized under the China Trade Act, 1922, is required unless the dividends are treated as income from sources within the United States under section 119 of the Act and are distributed to—

(1) A nonresident alien other than a resident of China at the time of such distribution;

(2) A nonresident partnership composed in whole or in part of nonresident aliens (other than a partnership resident in China); or

(3) A nonresident foreign corporation (other than a corporation resident in China).

The salary or other compensation for personal services of a nonresident alien individual who enters and leaves the United States at frequent intervals, shall not be subject to deduction and withholding of income tax at the source, provided he is a resident of Canada or Mexico. Such a nonresident alien shall file on Form 1040B, with the collector of internal revenue for the district in which he is employed, a true and accurate return of his total income from all sources within the United States, including the compensation for personal services rendered in the United States.

The following items of fixed or determinable annual or periodical income from sources within the United States received by a citizen of France residing in France, or a corporation organized under the laws of France, are not subject to the withholding provisions of the Revenue Act of 1936, since such income is exempt from Federal income tax under the provisions of the convention and protocol between the United States and France, signed April 27, 1932, and effective January 1, 1936 (C. B. XIV-2, 535):

(1) Amounts paid as consideration for the right to use patents, secret processes and formulas, trade marks and other analogous rights;

(2) Income received as copyright royalties; and

(3) Private pensions and life annuities.

The items of fixed and determinable income enumerated above paid to citizens of France residing in France and corporations organized under the laws of France are not subject to the withholding provisions of the Revenue Act of 1936. The person paying such income should be notified by letter from the French citizen or corporation, as the case may be, that the income is exempt from taxation under the provisions of the convention and protocol referred to above. Such letter from a citizen of France shall contain his address and a statement that he is a citizen of France residing in France. The letter from such corporation shall contain the address of its office or place of business and a statement that it is a corporation organized under the laws of the Republic of France, and shall be signed by an officer of the corporation giving his official title. The letter of notification or a copy thereof should be immediately forwarded by the recipient to the Commissioner of Internal Revenue, Sorting Section, Washington, D. C.

(b) *Discontinuance of exemption certificates.*—A nonresident alien individual not engaged in trade or business within the United States and not having an office or place of business therein is subject to the tax imposed by section 211 (a) of the Act on gross income and is not entitled to any personal exemption or credit for dependents. Although a nonresident alien individual who is engaged in trade or business within the United States or has an office or place of business therein is entitled to the personal exemption of \$1,000 (and a credit for dependents if he is a resident of Canada or Mexico), he is subject to the normal tax and the surtax imposed by sections 11 and 12 of the Act by reason of the provisions of section 211 (b) and the benefit of the personal exemption and credit for dependents may not be received by filing a claim therefor with the withholding agent. Accordingly, the use of exemption certificates by nonresident alien individuals as provided for in prior regulations is hereby discontinued. For relief from withholding with respect to compensation for personal services in the case of nonresident aliens, residents of Canada or Mexico, who enter and leave the United States at frequent intervals, see article 4 (a).

ART. 5. *Ownership certificates for bond interest.*—In accordance with the provisions of section 147 (b), citizens and resident individuals and fiduciaries, resident partnerships

and nonresident partnerships all of the members of which are citizens or residents, owning bonds, mortgages, or deeds of trust, or other similar obligations issued by a domestic corporation, a resident foreign corporation, or a nonresident foreign corporation having a fiscal agent or a paying agent in the United States, when presenting interest coupons for payment shall file ownership certificates for each issue of such obligations regardless of the amount of the coupons.

In the case of interest payments on overdue coupon bonds, the interest coupons of which have been exhausted, ownership certificates are required to be filed when collecting the interest in the same manner as if interest coupons were presented for collection.

In all cases where the owner of bonds, mortgages, or deeds of trust, or other similar obligations of a corporation is a nonresident alien, a nonresident partnership composed in whole or in part of nonresident aliens, a nonresident foreign corporation, or where the owner is unknown, an ownership certificate for each issue of such obligations shall be filed when interest coupons for any amount are presented for payment. The ownership certificate is required whether or not the obligation contains a tax-free covenant. However, ownership certificates need not be filed by a nonresident alien, a partnership composed in whole of nonresident aliens, or a nonresident foreign corporation in connection with interest payments on such bonds, mortgages, or deeds of trust or other similar obligations of a domestic or resident foreign corporation qualifying under section 119 (a) (1) (B) of the Revenue Act of 1936, or of a nonresident foreign corporation.

The ownership certificate shall show the name and address of the debtor corporation, the name and address of the owner of the obligations, a description of the obligations, the amount of interest and its due date, the rate at which tax is to be withheld, and the date upon which the interest coupons were presented for payment.

Ownership certificates need not be filed in the case of interest payments on obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or obligations of a corporation organized under Act of Congress, if such corporation is an instrumentality of the United States; or the obligations of the United States or its possessions. (See section 22 (b) (4) of the Act.) Ownership certificates are not required to be filed in connection with interest payments on bonds, mortgages, or deeds of trust, or other similar obligations issued by an individual or a partnership. Ownership certificates are not required where the owner is a domestic corporation, a resident foreign corporation, or a foreign government.

When interest coupons detached from corporate bonds are received unaccompanied by ownership certificates, unless the owner of the bonds is known to the first bank to which the coupons are presented for payment, and the bank is satisfied that the owner is a person who is not required to file an ownership certificate, the bank shall require of the payee a statement showing the name and address of the person from whom the coupons were received by the payee, and alleging that the owner of the bonds is unknown to the payee. Such statement shall be forwarded to the Commissioner with the monthly return on Form 1012. The bank shall also require the payee to prepare a certificate on Form 1001, crossing out "owner" and inserting "payee" and entering the amount of the interest on line 3, and shall stamp or write across the face of the certificate "Statement furnished", adding the name of the bank.

Ownership certificates are required in connection with interest payments on registered bonds as in the case of coupon bonds, except that if ownership certificates are not furnished by the owner of such bonds, ownership certificates must be prepared by the withholding agent.

ART. 6. Form of certificate for citizens or residents.—For the purpose of article 5, Form 1000 shall be used in preparing ownership certificates of citizens or residents of the United States (individual or fiduciary), resident partnerships, and nonresident partnerships all of the members of which are citizens or residents. If the obligations are issued

by a nonresident foreign corporation having a fiscal or paying agent in the United States, Form 1000 should be modified to show the name and address of the fiscal agent or the paying agent in addition to the name and address of the debtor corporation.

ART. 7. Form of certificate for nonresident aliens, nonresident foreign corporations, and unknown owners.—For the purpose of article 5, Form 1001 shall be used in preparing ownership certificates (a) of nonresident aliens, (b) of nonresident partnerships composed in whole or in part of nonresident aliens, (c) or nonresident foreign corporations, and (d) where the owner is unknown.

For the purpose of this article and articles 5, 6, and 9, existing ownership certificate forms, properly modified, may be used pending the issuance of revised forms.

ART. 8. Return and payment of tax withheld.—Every withholding agent shall make on or before March 15 an annual return on Form 1013 of the tax withheld from interest on corporate bonds or other obligations. This return should be filed with the collector for the district in which the withholding agent is located. The withholding agent shall also make a monthly return on Form 1012 on or before the 20th day of the month following that for which the return is made. The ownership certificates, Forms 1000 and 1001, must be forwarded to the Commissioner with the monthly return. Such of the forms as report interest from which the tax is to be withheld should be listed on the monthly return. While the forms reporting interest from which no tax is to be withheld need not be listed on the return, the number of such forms submitted should be entered in the space provided. If Form 1000 is modified to show the name and address of a fiscal or paying agent in the United States (see article 6), Forms 1012 and 1013 should be likewise modified.

Every person required to deduct and withhold any tax from income other than such bond interest shall make an annual return thereof to the collector on or before March 15 on Form 1042, showing the amount of tax required to be withheld for each nonresident alien, nonresident partnership composed in whole or in part of nonresident aliens, or nonresident foreign corporation to which income other than bond interest was paid during the previous taxable year. Form 1042 should be filed with the collector for the district in which the withholding agent is located. In every case of both classes the tax withheld must be paid on or before June 15 of each year to the collector. For penalties and additions to the tax attaching upon failure to make such returns or such payment, see sections 145 and 291 of the Act.

If a debtor corporation has designated a bank to act for it as withholding agent, and the bank has not collected any tax from the bondholders nor received any funds from the debtor corporation to pay the tax which the debtor corporation assumed in connection with its tax-free covenant bonds, the bank cannot be held liable for the tax merely by reason of its appointment as withholding agent. If a duly authorized withholding agent has become insolvent or for any other reason fails to make payment to the collector of internal revenue of money deposited with it by the debtor corporation to pay taxes, or money withheld from bondholders, the debtor corporation is no discharged of its liability under section 143 (a) (1), since the withholding agent is merely the agent of the debtor corporation.

ART. 9. Ownership certificates in the case of fiduciaries and joint owners.—If fiduciaries have the control and custody of more than one estate or trust, and such estates and trusts have as assets bonds of corporations and other securities, a certificate of ownership shall be executed for each estate or trust, regardless of the fact that the bonds are of the same issue. The ownership certificate should show the name of the estate or trust, in addition to the name and address of the fiduciary. If bonds are owned jointly by two or more persons, a separate ownership certificate must be executed in behalf of each of the owners.

ART. 10. Return of income from which tax was withheld.—The entire amount of the income from which the tax was withheld shall be included in gross income in the return made by the recipient of the income without deduction for such payment of the tax. But any tax so withheld shall be

credited against the total income tax as computed in the taxpayer's return. If the tax is paid by the recipient of the income or by the withholding agent it shall not be re-collected from the other, regardless of the original liability therefor, and in such event no penalty will be asserted against either person for failure to return or pay the tax where no fraud or purpose to evade payment is involved.

ART. 11. Withholding in the case of nonresident foreign corporations.—A tax of 15 per cent is required to be withheld in the case of fixed or determinable annual or periodical income paid to a nonresident foreign corporation except (1) income from sources without the United States, including interest on deposits by persons carrying on the banking business paid to persons not engaged in business in the United States and not having any office or place of business therein, (2) interest upon bonds or other obligations of a corporation containing a tax-free covenant and issued before January 1, 1934, where the liability assumed by the obligor does not exceed 2 per cent of the interest, and (3) dividends.

Withholding of a tax at the rate of 2 per cent is required in the case of interest payments made to a nonresident foreign corporation, representing income from sources within the United States, paid upon corporate bonds or other obligations containing a tax-free covenant, issued before January 1, 1934, where the liability assumed by the obligor exceeds 2 per cent of the interest.

A tax of 10 per cent is required to be withheld from income from sources within the United States paid to a nonresident foreign corporation which consists of dividends (other than dividends distributed by a corporation organized under the China Trade Act, 1922, to a resident of China) except that such rate of 10 per cent shall be reduced, in the case of corporations organized under the laws of a contiguous country, to such rate (not less than 5 per cent) as may be provided by treaty with such country. Dividends paid by a foreign corporation are not, however, subject to withholding unless such corporation is engaged in trade or business within the United States or has an office or place of business therein and more than 85 per cent of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was derived from sources within the United States as determined under the provisions of section 119 of the Act.

For withholding in the case of dividends distributed by a corporation organized under the China Trade Act, 1922, see articles 4 and 12.

ART. 12. Withholding by a China Trade Act corporation.—Dividends distributed by a corporation organized under the China Trade Act, 1922, which are treated as income from sources within the United States under the provisions of section 119 of the Act are subject to withholding at the rate of 10 per cent when paid to persons (other than residents of China) who are (1) nonresident aliens, (2) nonresident partnerships composed in whole or in part of nonresident aliens, or (3) nonresident foreign corporations. The 10 per cent rate of withholding specified in this article with respect to dividends shall be reduced in the case of shareholders who are (a) nonresident aliens residents of a contiguous country or (b) nonresident foreign corporations organized under the laws of a contiguous country, to such rate (not less than 5 per cent), as may be provided by treaty with such country.

ART. 13. Aids to withholding agents in determining liability for withholding of tax.—Since no withholding of tax on bond interest or other income is required in the case of a resident foreign corporation, the person paying such income should be notified by a letter from such corporation that it is not subject to the withholding provisions of the Act. The letter from the corporation shall contain the address of its office or place of business in the United States and be signed by an officer of the corporation giving his official title. Such letter of notification, or copy thereof, should be immediately forwarded by the recipient to the Commissioner of Internal Revenue, Sorting Section, Washington, D. C.

Although the burden of withholding tax from dividends is placed upon the payor corporation, or any other person (including a nominee), having the control, receipt, custody, disposal, or payment of dividends, if such payor corporation or person has no other reason to believe that the dividends are subject to withholding, the following procedure in general may be adopted:

(1) As to those stockholders whose name and style indicate that they are nonresident aliens, foreign partnerships, or foreign corporations, the tax shall be withheld in all cases if the address of any such stockholder is without the United States.

(2) If the address of such stockholders is in care of an individual, a partnership, or a corporation within the United States, the tax shall likewise be withheld, but as to any stockholder whose address is within the United States, the tax need not be withheld.

[SEAL]

CHAS. T. RUSSELL,

Acting Commissioner of Internal Revenue.

Approved, June 25, 1936.

HENRY MORGENTHAU, JR.,

Secretary of the Treasury.

[F. R. Doc. 1015—Filed, June 26, 1936; 12:39 p. m.]

DEPARTMENT OF THE INTERIOR.

National Park Service.

RULES AND REGULATIONS

Made, published, and approved by the Secretary of the Interior on the 18th day of June 1936, and to continue in force and effect until otherwise directed by the said Secretary.

GENERAL PROVISIONS

Pursuant to the authority granted to the Secretary of the Interior by the Act of August 25, 1916 (ch. 408, sec. 3, 39 Stat. 535), as amended by the Act of June 2, 1920 (ch. 218, sec. 5, 41 Stat. 731), and by the Act of March 7, 1928 (ch. 137, sec. 1, 45 Stat. 200, 235); and pursuant to the authority granted to the Secretary of War by the Act of March 2, 1933 (ch. 180, 47 Stat. 1420), and transferred to the Secretary of the Interior by Executive Order No. 6166, June 10, 1933, as interpreted by Executive Order No. 6228, July 28, 1933, under the authority of the Act of March 3, 1933 (ch. 212, sec. 403, 47 Stat. 1489, 1518); and pursuant to the authority granted to the Secretary of the Interior by various Acts of Congress relating to particular parks, monuments, and reservations; the following regulations are hereby made and published for the proper use, management, government, and protection of, and maintenance of good order in all the National Parks, National Monuments, National Military Parks, National Historical Parks, Battlefield Sites, and miscellaneous memorials which are, or hereafter may be, under the administrative jurisdiction of the National Park Service of the Department of the Interior: *Provided, however,* That these rules and regulations shall not apply to National Cemeteries or to National Capital Parks. All previous rules and regulations (except the uniform rules and regulations prescribed December 28, 1906, by the Secretaries of the Interior, Agriculture, and War, to carry out the provisions of the "Act for the Preservation of American Antiquities", approved June 8, 1906 (34 Stat. 225), and except such local subsidiary regulations as are continued in force under the provisions hereof), for such National Parks, National Monuments, National Military Parks, National Historical Parks, Battlefield Sites, and miscellaneous memorials, are hereby repealed.

Definitions.—The term "park", when used in these rules and regulations, unless otherwise indicated, shall be construed to include National Parks, National Military Parks, and National Historical Parks; and the term "monument", when used in these rules and regulations, unless otherwise indicated, shall be construed to include National Monuments,

Battlefield Sites, and miscellaneous memorials. The term "superintendent", when used in these rules and regulations, shall be construed to include a custodian, caretaker, or other person in charge of a National Park, National Monument, National Military Park, National Historical Park, Battlefield Site, or miscellaneous memorial.

1. *Preservation of public property, natural features and curiosities.*—The destruction, injury, defacement, removal, or disturbance in any way of any public building, sign, equipment, monument, statue, marker, or other structure, or of any tree, flower, vegetation, rock, mineral, formation, stalactite, stalagmite, phenomenon of crystallization, incrustation in any lava tube, cave, steam vent, or cone, or of any animal, bird, or other wildlife, or of any ruins or relics, or of any other public property of any kind is prohibited: *Provided*, That flowers may be gathered in small quantities when, in the judgment of the superintendent or custodian, their removal will not impair the beauty of the park or monument. Before any flowers are picked, permit must be secured from the superintendent or custodian.

Sequoia cones shall not be disturbed, or removed from any national park or monument.

No canes, umbrellas, or sticks of any kind may be taken into caves or caverns. The tossing or throwing of rocks or other material inside the caves or caverns is prohibited.

Collections for scientific or educational purposes shall be permitted only in accordance with written permits first had and obtained from the superintendent.

Bona-fide claimants or entrymen claiming or owning land reasonably adjacent to Grand Teton National Park must secure written permits before cutting any dead or down timber within the park, and are restricted to cutting such timber for firewood for their own consumption.

Visitors in Hawaii National Park may, with the permission of the park superintendent, pick and eat, or carry away, such fruits as the superintendent may designate.

2. *Camping.*—(a) No camping is permitted outside the specially designated camp sites, except when necessary in connection with trips to isolated sections of the parks and monuments.

(b) No person, party, or organization shall be permitted to camp in any public camping area in the parks or monuments more than 30 days in any calendar year.

(c) Campers shall keep their campgrounds clean. Combustible rubbish shall be burned on camp fires and all other garbage and refuse of all kinds shall be placed in garbage cans provided for the purpose. At new or unfrequented camps, garbage shall be burned or buried.

(d) Campers and others shall not wash clothing or cooking utensils in, or pollute in any other manner, the waters of the parks or monuments. Bathing in any of the streams or lakes near the regularly travelled thoroughfares in the parks and monuments is not permitted without suitable bathing clothes.

(e) Saddle, pack, or draft animals shall not be kept in or near any camping area. No such animals shall be kept on the floor of Yosemite Valley except in the operator's corral.

(f) Only in areas designated by the park superintendent may campers use any dead or fallen timber for fuel, except that Sequoia wood or bark shall not be disturbed for any purpose.

(g) The installation of permanent camping facilities by visitors is prohibited in all parks and monuments. The digging or leveling of the ground in any camp site without a ranger's permission is prohibited.

(h) Camps must be completely razed and the sites cleaned before the departure of campers. In dismantling camps, all material, such as poles, bark, planks, platforms, etc., used in construction of temporary camps must be removed, and, if combustible, must be piled on the public camp woodpiles.

(i) Campers shall not leave their camps unattended for more than 48 hours without special permission of the superintendent, obtained in advance. Camping equipment left unattended in any public camping area for 48 hours or more is subject to removal by order of the superintendent,

the expense of such removal to be paid by the person or persons leaving such equipment.

(j) No camp may be established in a park or monument and used as a base for hunting outside such park or monument.

(k) No camp shall be placed within 25 feet of any well-defined water course, water hydrant, or main road.

(l) Any article likely to frighten horses shall not be hung near a road or trail used by horses.

(m) The superintendents or custodians may, with the approval of the Director of the National Park Service, establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours.

(In Hot Springs National Park, the superintendent may establish the hours during which bathing will be permitted in the pool.)

(n) No visitors shall be permitted to camp within the canyon in Canyon de Chelly National Monument.

(o) No camping is permitted in any part of the Muir Woods National Monument, and no hikers or visitors shall enter or remain therein between one-half hour after sunset and one-half hour before sunrise.

3. *Picnicking.*—Picnicking or the eating of lunches is prohibited in restricted areas designated by the superintendent.

4. *Use of park waters.*—In Platt National Park the superintendent may, whenever it becomes necessary to do so, restrict the use of the waters of any of the springs in the park to immediate drinking purposes at such springs.

5. *Sanitation.*—(a) Garbage, papers, or refuse of any kind shall not be thrown or left on or along roads, in camping or picnic areas, or on any other park or monument lands.

(b) All comfort stations shall be used in a clean and sanitary manner.

(c) Contamination of watersheds, of water supplies, or of any water used for drinking purposes is strictly prohibited.

6. *Fires.*—Fires shall not be kindled near or on the roots of trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or earth. On public campgrounds the regular fireplaces constructed for the convenience of visitors must be used. Should camp be made in a locality where no such open space exists or is provided, the dead wood, moss, dry leaves, etc., shall be scraped away to the rock or earth over an area considerably larger than that required for the fire.

Fires shall be lighted only when necessary and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

Permission to burn on any cleanup operation within the parks or monuments must first be obtained in writing from the office of the superintendent or custodian, and in such cases as it is deemed advisable such burning will be under Government supervision. All costs of suppression and all damage caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

No lighted cigarette, cigar, pipe heel, match, or other burning material shall be thrown from any vehicle or saddle horse or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material.

Smoking or the building of fires on any lands within the parks or monuments may be prohibited or limited by the superintendent or custodian when, in his judgment, the hazard makes such action necessary.

All persons making trips away from established camps are required to obtain written fire permits from the nearest ranger before building camp fires.

The use of fireworks or firecrackers in the parks and monuments is prohibited, except with the written permission of the superintendent or custodian.

7. *Protection of wildlife.*—The parks and monuments are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing, or attempting to

capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the parks and monuments.

Unauthorized possession within a part or monument of the dead body or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this regulation.

During the hunting season arrangements must be made at entrance stations to identify and transport through the parks and monuments, where necessary, the carcasses of birds or animals legally killed outside the parks and monuments. Failure to make such arrangements shall be deemed a violation of this regulation.

8. *Firearms, etc.*—Firearms, explosives, traps, seines, and nets are prohibited within the parks and monuments, except upon written permission of the superintendent or custodian. Visitors entering or traveling through the parks and monuments to places beyond shall, at entrance, report and, if required to do so, surrender all such objects in their possession to the first park or monument officer, and, in proper cases, may obtain his written permission to carry them through the park or monument sealed. Failure to obtain such written permission shall be deemed a violation of this regulation. The Government assumes no responsibility for the loss of, or damage to, any such objects so surrendered to any park or monument officer, nor are park or monument officers authorized to accept the responsibility or custody of any other property for the convenience of the visitors.

9. *Fishing.*—Persons desiring to fish in the waters of the Yosemite, Sequoia, Lassen, General Grant, Grand Canyon, Grand Teton, Acadia, Wind Cave, Great Smoky Mountains, Mammoth Cave, and Zion National Parks, and the national monuments under the jurisdiction of the National Park Service must secure a sporting fishing license, as required by the laws of the state in which such park or monument is situated. All fishing in such parks and monuments must be done in conformity with the laws of the state regarding open seasons, size of fish, and the limit of catch, except as otherwise provided in the following paragraphs, which are applicable to all parks and monuments:

Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in hand, is prohibited.

Fishing in particular waters may be suspended, or restricted in regard to the use of particular kinds of bait, when the superintendent or custodian, with the approval of the Director of the National Park Service, shall determine such suspension or restriction necessary and shall post such restrictions or suspensions.

The number of fish that may be taken by one person in any one day from the various lakes and streams may be regulated by the superintendent or custodian, with the approval of the Director of the National Park Service. Unless otherwise determined and posted, the number shall be limited to 10 fish. Possession of more than two days' catch by any person at any one time shall be construed as a violation of this regulation.

No fish less than six inches long may be retained, unless a different limit be determined by the superintendent with the approval of the Director of the National Park Service and posted in the particular park or monument. All fish hooked less than such limit in length shall be carefully handled with moist hands and returned at once to the water if not seriously injured. Undersized fish retained because seriously injured shall be counted in the number of fish which may be taken in one day.

The possession of live minnows, chubs, or other bait fish, or the use thereof as bait, is prohibited in all the national parks and monuments, except Acadia National Park and Fort Jefferson National Monument.

The digging of worms for bait is prohibited in all parks and monuments.

The canning or curing of fish for the purpose of transporting them out of a national park or monument is prohibited.

The possession of fishing tackle upon or along any waters closed to fishing shall be prima facie evidence that the person or persons having such fishing tackle are guilty of unlawful fishing in such closed waters.

Fishing is prohibited in the Muir Woods National Monument.

All waters of the Shenandoah National Park are closed to fishing until further notice. This, however, shall not apply to occupants of or guests at the President's Camp on the Rapidan.

10. *Private operations.*—No person shall reside permanently in a national park or monument. No person, firm, or corporation shall engage in or solicit any business, or erect buildings in the parks or monuments without permission in writing from the Director of the National Park Service, Washington, D. C. Applications for such permission may be addressed to the Director through the superintendents and custodians of the parks and monuments.

In Mount McKinley National Park, prospectors and miners may erect necessary shelter cabins or other structures necessary in mining operations on bona fide locations in the park.

11. *Public speeches.*—No person shall make or deliver any address, speech, or sermon upon any subject whatever in Platt National Park without first obtaining a permit in writing from the superintendent, which permit the superintendent is hereby authorized to issue in proper cases and which shall designate the time and locality where such address, speech, or sermon may be given.

12. *Radios.*—The use of radios in public camps, hotels, or other buildings, or in automobiles is prohibited when audible beyond the immediate vicinity of the radio set. Radios shall not be operated to the annoyance of other persons nor so as to disturb the quiet of camps or other public places. The erection of aërials or other radio installations is prohibited.

13. *Cameras.*—Before still pictures may be taken for commercial purposes and before a motion or sound picture requiring the use of artificial or special settings, or special equipment, or involving the performance of a professional cast, may be filmed in any of the parks or monuments, authority must first be obtained, in writing, from the Secretary of the Interior. Still and motion picture cameras may be freely used by amateurs in the parks and monuments for general scenic purposes.

Superintendents may issue permits to take still and motion pictures in the parks and monuments under their supervision without such previous authorization, by the Secretary of the Interior, in the following circumstances, and on condition that the permittees shall refrain from offering any gratuity of whatsoever nature to any employee of the Government in connection with the exercise of the privilege herein authorized to be granted:

1. Professional photographers and motion-picture cameramen desiring to take scenes of, or events in, the national parks as representatives of news concerns and for bona fide news publication;

2. Professional photographers and motion-picture cameramen desiring to take scenes of, or events in, the national parks, not for sale or for exhibition when paid admissions are charged, but for the purpose of stimulating general or park travel;

3. Professional photographers and motion-picture cameramen desiring to take scenes of, or events in, the national parks, for non-profit educational purposes;

4. Professional photographers desiring to take park scenes for general artistic purposes.

14. *Gambling.*—Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited.

15. *Advertisements.*—Private notices or advertisements shall not be posted, distributed, or displayed in the parks or monuments, excepting such as the superintendent or custodian may deem necessary for the convenience and guidance of the public.

16. *Mining claims.*—The location of mining claims on lands within the parks and monuments is prohibited, except

in Mount McKinley National Park and in Death Valley National Monument. This regulation is subject to the further exception contained in the Act of Congress approved February 14, 1931 (46 Stat. 1161), reserving to the Navajo Tribe of Indians the mineral rights in the Canyon de Chelly National Monument.

Mining in Mount McKinley National Park may be regulated by the Secretary of the Interior as to surface use of locations under the Act of January 26, 1931 (46 Stat. 1043).

Mining in Death Valley National Monument is subject to the following special regulations, which are prescribed to govern the surface use of claims therein:

(a) The claim shall be occupied and used exclusively for mineral exploration and development and for no other purpose; except that, upon written permission of the Director of the National Park Service, the surface of the claim may be used for other specified purposes, the use to be on such conditions and for such period as may be prescribed when permission is granted.

(b) The owner of the claim and all persons holding under him shall conform to all rules now prescribed or which may be made applicable by the Director of the National Park Service, governing occupancy of lands within the national monument.

(c) The use and occupancy of the surface of mining claims as prescribed above shall apply to all such claims located after the date of the Act of June 13, 1933, within the limits of the national monument as fixed by the proclamation of February 11, 1933, and to all mining claims on lands hereafter included in the National monument, located after such inclusion, so long as such claims are within the boundaries of said monument.

(d) Prospectors or miners shall not open or construct roads or vehicle trails without first obtaining a permit from the Director of the National Park Service. Applications for permits may be made through the custodian of the monument, upon submitting a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail. The permit may be conditioned upon the permittee's maintaining the road or trail in a passable condition as long as it is used by the permittee or his successors.

17. *Archeologic ruins and objects.*—Visitors shall not be permitted to visit the ruins in Mesa Verde National Park nor to enter the canyon in Canyon de Chelly National Monument unless accompanied by National Park Service employees. The superintendent may waive this requirement in Mesa Verde National Park by issuing a special written permit to persons engaged in scientific studies.

Visitors shall not remove any artifacts or other objects of archeological or historical significance from the place where they may be found, nor purchase any such objects from Indians or others. Any such objects purchased or removed in violation of this regulation shall be delivered to the superintendent or his representative on demand.

18. *Lost articles.*—Persons finding lost articles, other than relics, should deposit them at the office of the superintendent or custodian, or at the nearest ranger station, leaving their own names and addresses, so that if the articles are not claimed by the owners within 60 days, they may be turned over to those who found them.

19. *Private lands.*—Owners of private lands within the limits of any park or monument are entitled to the full use and enjoyment thereof; the boundaries of such lands, however, shall be determined, and marked and defined, so they may be readily distinguished from the park or monument lands. While no limitations or conditions are imposed upon the use of private lands so long as such use does not interfere with or injure the Government lands, private owners shall provide against trespass by their livestock upon lands of the parks or monuments, and all trespasses committed will be punished to the full extent of the law. Stock may be taken over the lands of parks and monuments with the written permission and under the supervision of the superintendent or custodian, but such permission and super-

vision are not required when access to such private lands is had wholly over roads or lands not owned or controlled by the United States.

20. *Grazing.*—The running at large, herding, or grazing of livestock of any kind on the Government lands in the parks and monuments, as well as the driving of livestock over the same, is prohibited, except where authority therefor has been granted by the superintendent or custodian, with the approval of the Director of the National Park Service. The owners of livestock found improperly on the park or monument lands will be prosecuted.

The above regulation is subject to the exception contained in the provisions of the Act of Congress approved February 26, 1929 (45 Stat. 1314), relating to grazing in Grand Teton National Park, and to the exception contained in the Act of Congress approved February 14, 1931 (46 Stat. 1161), reserving to the Navajo Tribe of Indians the right to the surface use of the lands in the Canyon de Chelly National Monument for agricultural, grazing, or other purposes.

No authority may be granted for grazing in the Yellowstone National Park.

21. *Authorized operators.*—All persons, firms, or corporations holding franchises in the parks and monuments shall keep the grounds used by them properly policed and shall maintain the premises in a sanitary condition to the satisfaction of the superintendent or custodian. No operator shall retain in his employment a person whose presence in the park or monument may be deemed by the superintendent or custodian subversive to the good order and management of the park or monument.

All operators shall require each of their public contact employees to wear a metal badge with a number thereon, or other mark of identification. The name and number corresponding therewith, or the identification mark, shall be registered in the office of the superintendent or custodian. These badges must be worn in plain sight.

22. *Fraudulently obtaining accommodations.*—The obtaining of food, lodging, or other accommodations in the national parks and monuments with intent to defraud is forbidden, and such fraudulent intent will be presumed from refusal or neglect to pay therefor on demand, or payment therefor with negotiable paper on which payment is refused, or absconding without paying or offering to pay therefor, or false or fictitious showing or pretense of baggage or other property, or surreptitious removal or attempted removal of baggage.

23. *Dogs and cats.*—(a) Dogs and cats are prohibited on the Government lands in the parks and monuments, except that upon written permission of the superintendent or custodian, secured upon entrance, they may be transported over through roads by persons passing through the parks and monuments provided they are kept under leash, crated, or otherwise under restrictive control of the owner at all times while in the park or monument: *Provided, however,* That employees and others may be authorized by the superintendent or custodian to keep dogs for official purposes in the administrative area of a park or monument, and subject to such further conditions as may be determined by the superintendent or custodian.

(b) Stray dogs or cats running at large in the parks and monuments may be killed to prevent molestation of the wildlife therein.

(c) In Mount McKinley National Park, dogs may be used for hauling, with the permission of the superintendent and subject to the following rights and restrictions: In the winter, prospectors and miners may use such dogs as may be necessary for a reasonable time for heavy hauling of supplies, fuel, timber, and other objects; thereafter each person is limited to seven dogs. In the summer, no dogs are allowed except in special cases. In no case nor at any time shall litters of pups be raised in the park except by special permission of the superintendent. Persons entering the park with dogs must register at McKinley Park entrance, Katishna entrance, or the nearest ranger station, giving such information as may be required by the superintendent.

24. *Bears.*—Feeding of bears in campgrounds and populated areas is prohibited; feeding directly from the hand, touching, teasing, or molesting of bears is prohibited.

25. *Dead animals.*—All domestic or grazed animals that may die on any Government lands in the parks or monuments shall be buried immediately by the owner or person having charge of such animals, at least two feet beneath the ground, and in no case less than one-fourth mile from any camp or thoroughfare.

26. *Pack trains and saddle horse parties.*—(a) No pack train or saddle horse party shall be allowed in Crater Lake, General Grant, Glacier, Grand Canyon, Hawaii, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Rocky Mountain, Yellowstone, Yosemite, Zion, and Bryce Canyon National Parks, unless in charge of an approved guide. Guides may be required to pass on examination prescribed by the superintendent. At the discretion of the superintendent, guides will be permitted to carry unsealed firearms. Prospectors and miners in Mount McKinley National Park are excepted from the operation of this regulation.

(b) No persons may pass through or camp in any of the national parks, except Sequoia and Grand Teton National Parks, using animals or camp equipment not hired from the authorized operators of saddle horse service, where such service is established at the park under contract with the Secretary of the Interior, unless the animals and equipment belong to a member or members of the party, and unless the other members are not renting, or in any way paying for the use of the animals or equipment, and unless the owners are not making the trip under any lease arrangement, and shall satisfy the superintendent that such are the facts.

(c) To conduct or operate, or to cause to be conducted or operated, a saddle horse party into, or to act as guide for any purpose within any of the parks mentioned in paragraph (a) of this regulation, without the written permission of the Director of the National Park Service or the superintendent of the park, is prohibited; and the person or persons so conducting, operating, or causing to be conducted or operated, or acting as guide, shall be subject to the penalties prescribed by law for a violation of these regulations.

No saddle horses shall be permitted in the Muir Woods National Monument on Sundays or holidays.

27. *Begging, soliciting, etc.*—Begging is prohibited within the parks and monuments.

Hitch-hiking is prohibited within the parks and monuments.

Drumming and soliciting within the Hot Springs National Park for any physician, surgeon, or any person publicly professing to relieve, cure, or heal, or for any bathhouse receiving water from the Hot Springs National Park, are prohibited.

28. *Disorderly conduct.*—Persons who render themselves obnoxious by disorderly conduct or bad behavior shall be subject to the punishment hereinafter prescribed for violation of these regulations, and may be summarily removed from the park or monument by the superintendent or custodian.

29. *Improper clothing.*—The wearing of bathing suits, scanty or objectionable clothing, without proper covering, is prohibited in automobiles, on bicycles, in public places, hotels, camps, lodges, villages, or stores. Proper covering is hereby defined as such covering as will be at least the equivalent of sleeveless upper shirt and shorts.

30. *Abandonment of property.*—The abandonment of any personal property in the parks and monuments is prohibited.

31. *Mountain summit climbing.*—In Mount McKinley and Mount Rainier National Parks, mountain climbing shall be undertaken only with the permission of the superintendent of the park. To insure reasonable chances of success, he shall not grant such permission until he is satisfied that all members of the party are properly clothed, equipped, and shod, are qualified physically and through previous experience to make the climb, and that the necessary supplies are carried. No individual will be permitted to start alone for the summit of Mount McKinley or Mount Rainier.

While the Government assumes no responsibility in connection with any kind of accident to mountain-climbing parties, all persons starting to ascend Mount McKinley or

Mount Rainier will fill out an information blank furnished by the superintendent and shall report to him upon return.

When the superintendent deems such action necessary he may prohibit all mountain climbing in the park.

32. *Reports of accidents.*—All accidents of whatever nature shall be reported as soon as possible by the person or persons involved, to the superintendent or at the nearest ranger station.

33. *Guide and elevator fees for Carlsbad caverns.*—In Carlsbad Caverns National Park, no person or persons shall be permitted to enter the caverns unless accompanied by National Park Service employees. Competent guide service is provided for the public by the Government, for which a fee of \$1.50 shall be charged each person entering the caverns: *Provided*, That in proper cases and upon application made in advance, the Director of the National Park Service may authorize admission without charge for service to persons from reputable educational institutions for the purpose of prosecuting class work or studies, or to persons under the support and care of charitable institutions and their attendants. No charge shall be made for children 16 years of age, or under, when accompanied by adults taking responsibility for their safety and orderly conduct while in the caverns.

For the use of the elevator in the caverns, a fee of \$0.50 in each direction shall be charged each person using the same, except children between the ages of five and twelve years, for which half-fare, or \$0.25 in each direction shall be charged. No charge for this service shall be made for children five years of age, or under, when accompanied by adults assuming responsibility for their safety.

34. *Guide and elevator fees for Wind Cave.*—In Wind Cave National Park, no person or persons shall be permitted to enter the cave, unless accompanied by National Park Service employees. Competent guide service is provided for the public by the Government for which a fee of 75¢ shall be charged each adult person entering the cave. The 75¢ fee for adults shall include the use of the elevator: *Provided*, That, in proper cases and upon application made in advance, the Director of the National Park Service may authorize admission without charge for guide and elevator service to persons from reputable educational institutions for the purpose of prosecuting class work or studies, or to persons under the support and care of charitable institutions and their attendants.

Children 16 years of age, or under, when accompanied by adults taking responsibility for their safety and orderly conduct while in the cave shall be charged 25¢ each, including the use of the elevator, except children between the ages of five and twelve years who shall be charged 15¢ each, including the use of the elevator. No charge whatever shall be made for children five years of age, or under, when accompanied by adults assuming responsibility for their safety.

35. *Carrying of firearms by park employees.*—The superintendent or custodian of a park or monument may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of official duties.

36. *Guide fees for Lehman Caves.*—In Lehman Caves National Monument, no person or persons shall be permitted to enter the caves unless accompanied by National Park Service employees. Competent guide service is provided for the public by the Government, for which a fee of \$0.50 shall be charged each person entering the caves, except that when a group of ten or more persons over 16 years of age is guided through the caves at one time, the fee shall be \$0.25 for each person: *Provided*, That in proper cases and upon application made in advance, the Director of the National Park Service may authorize admission without charge for guide service to persons from reputable educational institutions for the purpose of prosecuting class work or studies, or to persons under the support and care of charitable institutions and their attendants. No charge shall be made for children 16 years of age, or under, when accompanied by adults assuming responsibility for their safety and orderly conduct while in the caves.

TRAFFIC

37. *Travel on trails.*—Pedestrians on trails shall remain quiet when saddle or pack animals are passing.

Persons traveling on the trails of the parks or monuments, either on foot or on saddle animals, shall not make short cuts, but shall confine themselves to the main trails. Any or all roads and trails in the parks and monuments may be closed to public use by order of the superintendent or custodian when, in his judgment, conditions make travel thereon hazardous or dangerous, or when such action is necessary to protect the parks or monuments.

Motorcycles shall not be operated upon trails.

38. *Travel on roads.*—(a) Saddle horses, pack trains, and horse-drawn vehicles have right-of-way over motor-propelled vehicles at all times.

(b) Horseback travel over automobile roads is prohibited except where such travel is necessary for ingress to and egress from privately owned property in the parks or monuments, or incidental to authorized trail trips.

(c) Pack trains and saddle horse parties are prohibited from using oil surfaced roads. Where, in emergencies, it becomes necessary for such pack trains or saddle horse parties to travel along oil surfaced roads, such travel shall be confined to the unoled shoulders of the roads.

(d) All vehicles shall be equipped with lights for night travel. At least one light must be carried on the left front side of all horse-drawn vehicles in a position so as to be visible from both front and rear.

(e) Any person or persons riding saddle animals, or leading animals of any kind through any tunnel, shall display a light upon the approach of any vehicle.

(f) No vehicles may be operated in the parks or monuments outside the roadways or designated parking areas.

(g) Load and weight limitations shall be those prescribed from time to time by the superintendents or custodians, and shall be complied with by the operators of all vehicles using the roads of the parks and monuments. Schedules showing weight limitations for the different roads may be seen at the offices of the superintendents and custodians and at ranger stations at the park entrances.

(h) There shall not be operated or moved upon any road within the boundaries of any national park or monument any vehicle of any kind the face of wheels or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to injure the roadway. This regulation applies to all rings or flanges upon guiding or steering wheels on any such vehicle, but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

(i) The superintendent or custodian may, with the approval of the Director of the National Park Service, establish the hours during which any of the roads within the parks and monuments shall be open to the public, and the direction of travel thereon. Information regarding such hours and direction of travel may be had upon application at the office of the superintendent or custodian, or at the ranger stations.

(j) In Acadia National Park, no motor vehicles are permitted on any road specially marked, designated, or constructed for horse-drawn vehicular traffic except for general road and roadside maintenance, repair and construction purposes, fire fighting, or in case of accident.

39. *Automobiles.*—The parks and monuments where common carrier service is established under authorization and supervision of the Government are open to automobiles operated for pleasure but not to those carrying passengers who are paying, either directly or indirectly, for the use of machines (excepting, however, automobiles used by transportation lines operating under Government franchise). Any person operating an automobile in contravention of the provisions of this regulation shall be deemed guilty of its violation.

40. *Motor trucks and busses.*—Motor trucks and busses are admitted to the parks and monuments under the same conditions as automobiles, except that the superintendents or

custodians may establish limits of size, weight, and capacity, which limits may vary, according to the different roads, tunnels, and bridges. No motor trucks are permitted in Acadia National Park, except those used in connection with road maintenance or other authorized park projects.

Commercial truck trailers will be required to secure permits at entrance stations to use park roads.

Trucking over roads in the parks and monuments which are officially posted indicating no trucking is allowed shall be a violation of these regulations.

41. *Motorcycles.*—Motorcycles are admitted to the parks and monuments under the same conditions as automobiles and are subject to the same regulations, so far as they are applicable.

42. *Permits.*—Where required, no motor vehicle may be operated in the national parks without a permit, which is good only in the park or parks for which issued. The permit must be carried in the car and exhibited to the park rangers on request.

Exceptions.—Regulations No. 37, 38, 39, and 40 are not applicable to traffic on the Mineral King Road in Sequoia National Park or on the Kennedy Creek cut-off in Glacier National Park.

43. *Fees.*—Fees for automobile permits are as follows:

Crater Lake National Park.....	\$1.00
Glacier National Park.....	1.00
Grand Canyon National Park.....	1.00
Lassen Volcanic National Park.....	1.00
Mesa Verde National Park.....	1.00
Mount Rainier National Park.....	1.00
Sequoia and General Grant National Parks.....	1.00
Yellowstone National Park.....	3.00
Yosemite National Park.....	2.00
Zion National Park.....	1.00

Fees for motorcycle permits are as follows:

Crater Lake National Park.....	\$1.00
Glacier National Park.....	1.00
Grand Canyon National Park.....	1.00
Lassen Volcanic National Park.....	1.00
Mesa Verde National Park.....	1.00
Mount Rainier National Park.....	1.00
Sequoia and General Grant National Parks.....	1.00
Yellowstone National Park.....	1.00
Yosemite National Park.....	1.00
Zion National Park.....	1.00

No fee shall be charged residents of Coconino County, Arizona, or Kanab, Utah, entering Grand Canyon National Park, nor residents of Washington and Kane Counties, Utah, or residents of that part of Coconino County, Arizona, lying north and west of the Colorado River, entering Zion National Park, in the conduct of their usual occupation or business.

44. *Entrances.*—Automobiles, trucks, and other vehicles permitted in the parks and monuments may enter and leave by such entrances and between such hours as shall be determined by the superintendent or custodian with the approval of the Director of the National Park Service, and indicated by official signs posted for that purpose.

All vehicles shall come to a full stop at entrance stations.

45. *Speed.*—Automobiles and other vehicles shall be so operated as to be under the safe control of the driver at all times. The speed shall be kept within such limits as may be necessary to avoid accidents. Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips is limited to 35 miles per hour on all roads in the parks and monuments unless a different limit be determined by the superintendent or custodian with the approval of the Director of the National Park Service, and indicated by official signs posted for that purpose.

46. *Teams.*—When teams, saddle horses, or pack trains approach, motor vehicles shall be so manipulated as to allow safe passage for the other party. In no case shall motor vehicles pass such animals on the road at a greater speed than 10 miles per hour, or in such a manner or with such noise as to frighten them.

47. *Right-of-way.*—Any vehicle traveling slowly on any of the roads in the parks or monuments, when overtaken by a faster-moving motor vehicle, and upon suitable signal from

such overtaking vehicle, shall move to the right to allow a safe passage.

When automobiles going in opposite directions meet on a grade, the ascending machine has the right-of-way, and the descending machine shall be backed or otherwise handled as may be necessary to enable the ascending machine to pass in safety.

48. *Following vehicles.*—Except in slow-moving traffic, a vehicle shall not follow another vehicle closer than 50 feet, nor closer than 15 feet at any time.

49. *Clutches and gears.*—No motor vehicle shall be operated on any highway with clutch disengaged or gear out of mesh except for the purpose of changing or shifting gears or stopping or while being towed, or when such vehicle is equipped with commercial free-wheeling devices.

50. *Lights.*—All motor vehicles except motorcycles shall be equipped with two headlights and one or more red tail-lights, the headlights to be of sufficient brilliancy to insure safety in driving at night, and all lights shall be kept lighted after sunset when the vehicle is on a road, and at all times when passing through unlighted tunnels. Headlights shall be dimmed when meeting other vehicles, riding or driving animals, or pedestrians.

51. *Sounding horn.*—The horn shall be sounded on approaching sharp curves or other places where the view ahead is obstructed, or before passing other vehicles or pedestrians, or, if necessary, before passing riding or driving animals.

52. *Muffler cut-outs.*—Muffler cut-outs shall be kept closed at all times within the limits of the parks and monuments.

53. *Accidents—stop-overs.*—If vehicles stop because of accident or for any other reason, they shall be immediately parked in such a way as not to interfere with travel on the road.

54. *Parking.*—The superintendent may limit the time allowed for parking in any parking area upon the posting of signs indicating such limit.

55. *Traffic signs.*—Drivers of all vehicles shall comply with the directions of all official traffic signs posted in the parks or monuments.

56. *Intoxication.*—No person who is under the influence of intoxicating liquor or narcotic drugs shall operate or drive a motor-driven vehicle of any kind on the roads of the parks or monuments.

LOCAL SUBSIDIARY REGULATIONS

Subsidiary regulations necessary to cover local situations and promulgated under general provisions contained in these regulations will be published in the FEDERAL REGISTER and may be seen at the headquarters of the parks or monuments in which they are operative.

All subsidiary regulations promulgated under general provisions contained in the Rules and Regulations approved by the Secretary of the Interior June 6, 1935, are hereby continued in force and effect until amended or repealed.

PENALTIES

(a) Any person who violates any of the foregoing rules or regulations in regard to any park or monument not specified in paragraph (b) hereof shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500 or imprisonment for not exceeding six months, or both.

(b) Any person who knowingly and willfully violates any of the foregoing rules or regulations in regard to any of those national military parks, battlefield sites, national monuments, or miscellaneous memorials transferred to the jurisdiction of the Secretary of the Interior from that of the Secretary of War by Executive Order No. 6166, June 10, 1933, and enumerated in Executive Order No. 6228, July 28, 1933, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$100 or by imprisonment for not more than three months, or by both such fine and imprisonment.

Approved: June 18, 1936.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 1006—Filed, June 26, 1936; 10:40 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ORDER TERMINATING OPERATION OF LICENSE FOR MILK— ATLANTA, GEORGIA, SALES AREA

Whereas, W. R. Gregg, Acting Secretary of Agriculture of the United States of America, acting under the provisions of the Agricultural Adjustment Act, as amended, for the purpose and within the limitations therein contained, and pursuant to the applicable general regulations issued thereunder, did, on the 15th day of November 1934, issue under his hand and the official seal of the Department of Agriculture a License for Milk—Atlanta, Georgia, Sales Area, effective the 1st day of December 1934, which license was subsequently amended on August 12, 1935, and suspended on the 25th day of January 1936, said suspension being effective on and after 12:01 a. m., January 27, 1936; and

Whereas, the Secretary of Agriculture has determined to terminate the said license, as amended;

Now, therefore, the undersigned, acting under the authority vested in the Secretary of Agriculture under the terms and conditions of the said act, as amended, and pursuant to the applicable general regulations issued thereunder, hereby terminate the said license, as amended.

In witness whereof, H. A. Wallace, Secretary of Agriculture of the United States of America, has executed this Order of Termination in duplicate, and has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 25th day of June 1936, and hereby declares that this termination shall be effective on and after 12:01 a. m., July 1, 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1012—Filed, June 26, 1936; 11:58 a. m.]

FEDERAL TRADE COMMISSION.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[File No. 21-267]

IN THE MATTER OF APPLICATION FOR TRADE PRACTICE RULES FOR THE SCHOOL SUPPLIES AND EQUIPMENT DISTRIBUTING INDUSTRY

NOTICE OF OPPORTUNITY TO BE HEARD

This matter now being before the Federal Trade Commission under its Trade Practice Conference procedure, in pursuance of the Act of Congress approved September 26, 1914, (38 Stat. 717; 15 USCA, Section 41);

Opportunity is hereby extended by the Federal Trade Commission to any and all persons affected by or having an interest in the proposed trade practice rules for the School Supplies and Equipment Distributing Industry to present to the Commission their views upon the same, including suggestions or objections, if any. For this purpose they may, upon application to the Commission, obtain copies of the proposed rules. Communications of such views should be made to the Commission not later than Wednesday, July 15, 1936, at 10 a. m., Room 101, Federal Trade Commission Building, 815 Connecticut Avenue, Washington, D. C., to such persons as may desire to appear, and who have made prior written or telegraphic request to be heard orally. All briefs or other communications received concerning the proposed rules will become part of the public record subject to inspection by interested parties. After giving due consideration to such suggestions or objections as may be received concerning the rules proposed by the industry, the Commission will proceed to their final consideration.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

Entered June 24, 1936.

[F. R. Doc. 1007—Filed, June 26, 1936; 11:15 a. m.]

FEDERAL REGISTER, Saturday, June 27, 1936

679

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of June A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 2329]

IN THE MATTER OF A. KIMBALL COMPANY, ET AL.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that John L. Hornor, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered that the taking of testimony in this proceeding begin on Monday, July 13, 1936, at nine o'clock in the forenoon of that day, eastern standard time, at Room No. 313, United States Post Office, 9th Street, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1008—Filed, June 26, 1936; 11:15 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of June A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2767]

IN THE MATTER OF INTERNATIONAL ART COMPANY, A CORPORATION, ET AL.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that W. W. Sheppard, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all duties authorized by law.

It is further ordered that the taking of testimony in this proceeding begin on Wednesday, July 8, 1936, at ten o'clock in the forenoon of that day, in room 424 of the Federal Trade Commission building, 815 Connecticut Avenue NW., Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1009—Filed, June 26, 1936; 11:16 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of June A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 2826]

IN THE MATTER OF CHARLES N. MILLER COMPANY, A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Miles J. Furnas, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered that the taking of testimony in this proceeding begin on Monday, July 13, 1936, at one o'clock in the afternoon of that day, eastern standard time, at Court Room No. 4, Federal Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1010—Filed, June 26, 1936; 11:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

RECORDING AND REPORTING OF STEAM RAILWAY ACCIDENTS

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 8th day of June A. D. 1936.

The subject of the recording and reporting of steam railway accidents being under consideration:

It is ordered, That the order of October 24, 1935, requiring the keeping of a special record of accidents to employees and a monthly report of such accidents, be and it is hereby amended by extending the period for the recording and the reporting thereof to December 31, 1936.

By the Commission, division 4.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1011—Filed, June 26, 1936; 11:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES ACT OF 1933

CONTRACTS WITH UNITED STATES GOVERNMENT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, and finding that the information specified in Schedule A of the Act which is permitted by the rule hereby adopted to be omitted from any registration statement in respect of a specified class of issuers is inapplicable to such class, and that disclosure fully adequate for the protection of investors is otherwise required to be included in the registration statement; and that any information not specified in Schedule A which is required by such rule to be set forth in the registration statement is necessary and appropriate in the public interest and for the protection of investors; and that the rule hereby adopted is necessary to carry out the provisions

of the Act and is necessary and appropriate in the public interest and for the protection of investors, hereby adopts the following rule under the Securities Act of 1933:

RULE 581. Contracts with United States Government.—(a) Notwithstanding any particular provision in any form for registration or instruction pertaining thereto, the registrant need not file as an exhibit to the registration statement a copy of any contract as to which all the following conditions are satisfied:

(1) The contract is one to which the United States is a party, and involves the constructing or supplying of equipment or materials, or the furnishing of experimental facilities, services, or information for the Army, Navy, Marine Corps, or Coast Guard in connection with the national defense;

(2) A copy of the contract is on file with an executive department of the United States; and

(3) The registrant has been notified in writing that such executive department has administratively determined that the subject of such contract relates to and affects the national defense and that disclosure thereof would be contrary to the public interest.

The registrant shall file as an exhibit to the registration statement, in lieu of the copy of the contract omitted pursuant to this paragraph, a copy of each notification received from such executive department with respect to the filing of copies of the contract or of information as to its terms.

(b) Notwithstanding any particular provision in any form for registration or instruction pertaining thereto, the registrant need not, in answering any item in the form for registration calling for a summary of the terms of any contract of the type described in paragraph (a), furnish any information as to any terms of the contract relating directly or indirectly to any of the following subjects as to which the registrant has been notified in writing that the executive department, with which a copy of the contract is on file, has administratively determined that such subjects relate to and affect the national defense and that disclosure thereof would be contrary to the public interest:

(1) Quantity of equipment or materials to be constructed or supplied;

(2) Designations of type, descriptions, specifications, deliveries, tests, or guarantees of performance with respect to such equipment or materials; or

(3) Nature and extent of experimental facilities, services, or information to be furnished.

The answer to the item shall include a statement in approximately the following form:

Information as to certain terms of the contract(s) has been omitted pursuant to the Rules and Regulations of the Securities and Exchange Commission, the registrant having been notified that the _____ Department (naming the executive department) has determined that such information relates to and affects the national defense and that disclosure thereof would be contrary to the public interest. Such notification is filed as Exhibit _____.

(c) Public disclosure will not be made of the contents of any notification filed pursuant to paragraph (a), or of any portion of the information as to the terms of the contract required to be furnished notwithstanding the provisions of paragraph (b), if the Commission determines that such disclosure would impair the value of the contract and is not necessary for the protection of investors. In any case where the registrant desires the Commission to make such a determination, the procedure set forth in Rule 580 shall be followed, except that there shall be filed, in lieu of the three copies of the contract or portion thereof required by paragraph (b) (1) of such Rule, three copies of the notification and three copies of the information as to the terms of the contract which the registrant desires to keep undisclosed, all clearly marked "Confidential."

The foregoing rule shall be effective immediately upon publication.

By the Commission:

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1014—Filed, June 26, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of June A. D. 1936.

[File No. 32-23]

IN THE MATTER OF THE DECLARATION OF SOUTHWESTERN DEVELOPMENT COMPANY

NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

A declaration under Section 7 (a) of the Public Utility Holding Company Act of 1935 having been duly filed with this Commission whereby the Southwestern Development Company proposes to issue to the Guaranty Trust Company of New York promissory notes payable within five years, pursuant to an agreement to renew and extend an existing and matured indebtedness of approximately \$6,300,000.

It is ordered, that the matter be set down for opportunity for hearing on the 10th day of July 1936, at 10:00 o'clock in the forenoon of that day at Room 726-C, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

It is further ordered, that John H. Small, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person, desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than July 5, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1016—Filed, June 26, 1936; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of June A. D. 1936.

[File 36-22]

IN THE MATTER OF THE APPLICATION OF THE MIDDLE WEST CORPORATION

NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An application having been duly filed with this Commission by The Middle West Corporation, pursuant to Section 10(a) (1) of the Public Utility Holding Company Act of 1935, for approval of the acquisition of 9,000 shares of \$3 Cumulative Preferred Stock, without par value, of Copper District Power Company, which securities applicant proposes to acquire, at the price of \$45 per share, in exchange for \$405,000 principal amount of 5% notes payable of said Copper District Power Company now held by applicant;

It is ordered, that the matter be set down for hearing on July 13, 1936, at two o'clock in the afternoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C.; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission, be and he hereby is designated to preside

at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than July 8, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1013—Filed, June 26, 1936; 12:37 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of June A. D. 1936.

[File No. 32-24]

IN THE MATTER OF THE APPLICATION OF THE NARRAGANSETT ELECTRIC COMPANY

NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An application, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, having been filed with this Commission by The Narragansett Electric Company, a subsidiary of a registered holding company, to exempt, from the provisions of Section 6 (a), the issue and sale of \$34,000,000 principal amount of First Mortgage Bonds, Series A, 3½%, due July 1, 1966, the proceeds of such issue to be applied on or about July 22, 1936, toward the payment of \$34,000,000 of notes evidencing bank loans made on June 25, 1936, under a bank credit agreement dated May 28, 1936.

It is ordered that the matter be set down for hearing on the 13th day of July 1936, at 2:30 p. m., at the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW., Washington, D. C., and

It is further ordered that John H. Small, an officer of the Commission, be and he hereby is designated to preside at such hearing and is authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person, desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission. It is requested that all such notices shall be delivered to the Commission by mail or telegraph not later than July 10, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make this report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1017—Filed, June 26, 1936; 1:47 p. m.]

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Tuesday, June 30, 1936

No. 77

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

MODIFICATION OF EXECUTIVE ORDER NO. 6910 OF NOVEMBER 26, 1934, AS AMENDED, WITHDRAWING PUBLIC LANDS IN CERTAIN STATES

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 837, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered that Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain States for classification and other purposes, be, and it is hereby, modified to the extent necessary to enable the Secretary of the Interior to withdraw the following-described tracts of public land for reclamation purposes under and pursuant to the provisions of section 3 of the act of June 17, 1902, ch. 1093, 32 Stat. 388:

CALIFORNIA

Mount Diablo Meridian

- T. 33 N., R. 2 W.:
Sec. 4, lots 1, 2, 3, 5, 6, 7, 8, S½N½, and SE¼;
Sec. 6, SE¼;
T. 34 N., R. 2 W.:
Sec. 23, NE¼NE¼;
Sec. 30, lots 1, 2, E½NW¼, and W½E½;
T. 33 N., R. 3 W.:
Sec. 6, NE¼SE¼ and SW¼SE¼;
Sec. 8, E½NE¼, SW¼NE¼, W½, and SE¼;
Sec. 10, N½SE¼ and SE¼SE¼;
Sec. 12, NE¼NE¼, W½SW¼, SE¼SW¼, NE¼SE¼, and S½SE¼;
T. 34 N., R. 3 W.:
Sec. 6, N½NE¼ and S½SE¼;
Sec. 14, NW¼NW¼;
Sec. 15, lots 1, 2, 3, 4, and 6, NE¼, NE¼NW¼, SE¼NW¼, N½NW¼SE¼, N½NE¼SE¼, SE¼NE¼SE¼, and NE¼SE¼SE¼;
Sec. 20, N½NE¼, SW¼NE¼, NW¼SE¼, and W½;
Sec. 21, lot 12 and W½NW¼;
Sec. 24, E½ and S½SW¼;
Sec. 26, E½ and SW¼;
Sec. 30, N½NE¼;
Sec. 34, SW¼;
T. 35 N., R. 3 W.:
Sec. 32, NE¼NE¼NE¼, S½NE¼NE¼, S½NE¼, S½NW¼, and S½;
T. 33 N., R. 4 W.:
Sec. 1, lots 9, 10, 11, and 12;
Sec. 2, lot 1 and 4;
Sec. 10, SE¼NW¼ and lot 1;
T. 34 N., R. 4 W.:
Sec. 4, NW¼NW¼, NE¼, N½SE¼, and SE¼SE¼;
Sec. 6, lots 2, 3, S½NE¼, and SE¼NW¼;
Sec. 10, NE¼;
Sec. 12, NE¼SE¼ and S½S½;
Sec. 16, N½NE¼ and W½;
Sec. 20, N½NE¼, SE¼NE¼, and N½NW¼;
Sec. 23, N½SE¼;
Sec. 24, all;
Sec. 23, W½NE¼ and NW¼;
Sec. 30, lots 1, 2, 3, 4, NW¼, W½SW¼, and SE¼SW¼;
T. 35 N., R. 4 W.:
Sec. 26, W½NE¼, W½, and SE¼;
Sec. 30, NW¼NW¼;
T. 32 N., R. 5 W.:
Sec. 4, lots 1, 2, 3, 4, 6, 7, 8, E½ lot 9, E½ lot 11, and lot 12, SW¼NW¼SW¼, N½SW¼NW¼ and W½SW¼SW¼;
Sec. 8, NE¼, N½NW¼, SE¼NW¼, E½SW¼, and lots 1, 2, and 3;
Sec. 9, NE¼, NW¼NW¼NW¼, E½SE¼NW¼, W½NE¼SW¼, and N½N½SE¼;
Sec. 14, N½N½SE¼NW¼, SW¼NW¼, N½NW¼, N½SW¼, and SW¼SW¼;
Sec. 17, lots 2, 3, and 8;
Sec. 20, lots 1, 2, 3, 4, 6, 7, NE¼NE¼, SE¼SE¼, and W½SW¼;
T. 33 N., R. 5 W.:
Sec. 4, lot 3, and SE¼NW¼;
Sec. 6, N½, SW¼, and N½SE¼;
Sec. 7, lots 1, 2, 4, 6, 7, 8, 9, 10, and 11;
Sec. 12, SE¼;
Sec. 14, SE¼;
Sec. 22, NE¼, N½NW¼, SW¼SW¼, N½SE¼, SE¼SE¼, and lots 1 to 9 incl.;

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TUESDAY, MARCH 16, 1858.

REGULAR MEETING—3 P. M.

PRESENT :

Commissioner Gray,	Commissioner Fields,
“ Dillon,	“ Green,
“ Russell,	“ Strong,
“ Butterworth,	“ Hogg.
“ Hutchins,	

On motion, the reading of the minutes of the previous meeting was dispensed with.

On motion of Mr. BUTTERWORTH, it was

Resolved, That the Annual Report of this Board to the Common Council, dated January 30, 1858, be printed as one of the documents of this Board.

As follows :

Ayes—Messrs Dillon, Butterworth, Gray, Fields, Green, Strong, Hogg—7.

On motion of Mr. DILLON, the ordinances recommended by the Superintendent were adopted, as follows :

“Be it ordained by the Commissioners of the Central Park :

All persons are forbidden

To enter or leave the Park except by the gateways.

To climb or walk upon the wall.

To turn cattle, horses, goats or swine into the Park.

To carry fire-arms or to throw stones or other missiles within it.

To cut, break, or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, bridges, or other constructions upon the Park ;

Or to converse with, or in any way hinder those engaged in its construction.

All persons offending against these ordinances shall be deemed guilty of misdemeanor, and be punished, on conviction before the Mayor, Recorder, or any magistrate of the city of New York, by a fine not exceeding fifty dollars; and, in default of payment, by imprisonment not exceeding thirty days."

Visitors may obtain all necessary information and directions from the police.

The business offices and the police station of the Park are on Fifth avenue at Seventy-ninth street."

Mr. DILLON also moved the adoption of the following:

Ordered, That the Superintendent cause these ordinances to be posted on the Park, in such number and manner as he may deem advisable.

Ordered, That it be published for ten days in the Daily Times, Tribune, Sun, and Staats Zeitung.

Which was carried, as follows:

Ayes—Messrs. Dillon, Butterworth, Gray, Fields, Green, Strong, Hogg—7.

A communication from the Chief Engineer, submitting a report on "A Comprehensive Plan of Drainage" of the Park, accompanied by a map of the same, was received.

Mr. DILLON moved that the report be printed and referred to the Committee on Draining and Sewerage.

Which was carried, as follows:

Ayes—Messrs. Dillon, Butterworth, Gray, Fields, Green, Strong, Hogg—7.

A report from the Chief Engineer, announcing the completion of the sectional and drainage maps of the Park, and the discharge of all persons directly employed by him, was referred to the Executive Committee.

A communication from the same, as to a plan for receiving within the limits of the Park the waste water from the present and new reservoirs, was also referred to the Executive Committee.

A communication from Thomas F. Webb, as to furnishing blasting powder for the Park, was also referred to the same committee.

The following communication was received from A. W. Craven, Esq., of the Croton Aqueduct Board, and on motion of Mr. Dillon ordered to be engrossed in the minutes of the Board :

CROTON AQUEDUCT DEPARTMENT,

Engineer's Office, March 2d, 1858.

Gentlemen,—I beg leave to acknowledge the receipt of a note from your Board, through Mr. Hart, dated February 16th, and to apologise for not replying to it more promptly.

The questions asked, and the answers thereto, are as follows :

“ 1st. What is the height of the Reservoir on the line of Fifth avenue at 41st street, excluding the railing ? ”

The top of the wall, exclusive of the railing, and also exclusive of the projections at the corners and over the gateway, is 119 feet above mean tide and 39 feet above the curb of Forty-first street. The height of water when the Reservoir is full is four feet below this level, or 115 feet above mean tide.

“ 2d. Will the top of the wall of the new Reservoir be on a level with the top of that now built in Seventy-ninth street ? ”

These heights are intended to be precisely the same.

“ 3d. Could not the height of the wall be reduced in the Reservoir now built and in the new one, and if so, how much, and yet answer all the purposes of the Reservoir ? ”

The height of water in these Reservoirs could not be reduced without greatly impairing the efficiency of our water distribution throughout the city, and the height of the wall could not be reduced with safety without a corresponding reduction in the high-water level.

I have the honor to be, very respectfully,

Your obedient servant,

A. W. CRAVEN,

Chief Engineer.

To the Commissioners of the Central Park, New York.

The monthly report of the Superintendent was read and ordered on file.

A petition of Norman Ewen, late Surveyor and Engineer of the third division Central Park Survey, to be allowed his pay,

at the rate of \$1500 per annum, from May 1st to November 13th, 1857, was read and referred to the Auditing Committee.

Mr. FIELDS moved to take up the special order, being the election to fill the vacancy caused by the resignation of Mr. Cooley, in pursuance of the notice given by Mr. Strong, at the meeting of February 16, 1858.

The ayes and nays being called for upon the motion, it was carried, as follows :

Ayes—Messrs. Dillon, Russell, Gray, Hutchins, Fields, Green, Strong, Hogg—8.

Nay—Mr. Butterworth—1.

Mr. RUSSELL offered the following :

Resolved, That it is inexpedient at the present meeting to go into an election, to fill the vacancy in the Board occasioned by the resignation of Mr. Cooley.

Lost.

Mr. FIELDS moved that the Board now go into ballot.

Carried, as follows :

Ayes—Messrs. Dillon, Gray, Hutchins, Fields, Green, Strong, Hogg—7.

Nays—Messrs. Russell, Butterworth—2.

The Chair appointed as tellers Messrs. Green and Butterworth.

The Board then proceeded to ballot, with the following result :

For August Belmont.....	7
“ George Bancroft.....	1
Blank	1

On motion of Mr. RUSSELL, the election of Mr. Belmont was declared unanimous.

On motion of Mr. HUTCHINS, the Vice-President was requested to communicate to Mr. Belmont his election to the Board.

Mr. STRONG moved that when the Board adjourn it be to Tuesday next at 1 o'clock.—Carried.

On motion of Mr. RUSSELL, the Clerk was directed to prepare a calendar of unfinished business for the use of the Board, at each stated meeting.

The Board then adjourned.

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No. 1019.

A Supplement

To an act, entitled "An Act to incorporate the Farmers' Coal and Iron Company," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said company shall have the power and authority to build a bridge across the Susquehanna river, so that the same may be a toll and railroad bridge, and charge and receive tolls for crossing the same. Authorized to construct bridge.

SECTION 2. That it shall be lawful for any other chartered company to subscribe to the capital stock of this company or to loan the said company money. Other corporations may subscribe to capital stock.

SECTION 3. That said company shall have the right to extend their railroad and branches, and cross at grade the tracks of any railroads now made or hereafter to be made, in such manner as to connect with any other railroads or to any landings on any canal or slack-water navigation. May extend railroad, &c.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

No. 1020.

A Supplement

To an act, entitled "An Act appropriating ground for public purposes in the city of Philadelphia," approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the boundaries of the Fairmount park, in the city of Philadelphia, shall be the following, to wit: Beginning at a point in the north-easterly line of property, owned and occu- Boundaries of Fairmount park defined.

plied by the Reading Railroad Company, near the city bridge over the river Schuylkill at the falls, where said north-easterly line is intersected by the line dividing property of H. Duhring from that of F. Stoever and T. Johnson; extending from thence in a south-westerly direction upon said dividing line and its prolongation to the middle of the Ford road; from thence by a line passing through the south-east corner of Forty-ninth and Lebanon streets to George's run; thence along the several courses of said run to a point fourteen hundred and eighty-seven and a half feet from the middle of the Pennsylvania railroad, measured at right angles thereto; thence by a straight line through the north-east corner of Forty-third and Hancock streets to the northerly side of Girard avenue, near Fortieth street; thence by the said northerly side of Girard avenue to the easterly side of the Junction railroad, as now used; thence by the said easterly side of the Junction railroad and the Pennsylvania railroad to the north side of Haverford street; thence by the northerly side of said Haverford street to the westerly side of Bridgewater street; thence by said Bridgewater street to the north line of Bridge street; thence by said Bridge street to the west abutment of the Suspension bridge; thence by the north-westerly side of the Suspension bridge and Callowhill street to the angle in said street, on the south-westerly side of Fairmount basin; thence by the northerly side of Callowhill and Biddle streets to the westerly side of Twenty-fifth street; thence by the said Twenty-fifth street to the south-westerly side of Pennsylvania avenue; thence by the south-westerly side of Pennsylvania avenue to the west side of Thirty-third street; thence along the westerly side of Thirty-third street to the south-westerly line of Ridge avenue; thence along said Ridge avenue to the south-westerly line of South Laurel Hill cemetery, (north of Huntington street;) thence by and along said property line to such a distance from the shore line of the river Schuylkill as will permit the location of a carriage road one hundred feet wide upon its margin; thence along said river shore and its several courses, as may be most practicable, at the same distance as above specified, (provided said distance shall not exceed one hundred and fifty feet,) to a point opposite the intersection of the Ridge turnpike and School lane; thence northwardly to a point on the south-westerly side of said turnpike road, opposite to the south-easterly side of School lane; thence by the south-westerly side of the Ridge turnpike road and to its several courses to the south-easterly side of the Wissahickon creek; thence by the several courses of the said south-easterly side of Wissahickon creek to the Schuylkill river; thence across the water-course of said river to the north-easterly line of the Reading Railroad Company's property, as now occupied and in use at the city boundary line; thence along said north-easterly line as now occupied and used by said railroad company, to the place of beginning, excepting nevertheless thereout the several water works and their appurtenances which are included within these boundaries, and such uses of the premises immediately adjacent to the same, and such other portions of

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the ground as are described in the plan, as the city of Philadelphia may from time to time require for the purposes of its water department.

SECTION 2. That there shall be laid out and constructed a road of easy and practicable grades extending from the intersection of the northerly line of the park by Belmont avenue, on the westerly side of the river Schuylkill, to the head of Roberts hollow, and thence along said hollow and the river Schuylkill to the foot of City avenue, laid out, with the ground contiguous thereto for ornamentation, of such width, and so constructed as the commissioners of Fairmount park, appointed under authority of the act of the general assembly of the commonwealth, may determine: and such road and its contiguous ground are hereby declared to be a part of the aforesaid park; and said park commissioners are hereby authorized and required to ascertain, by a proper survey, the limits thereof, which survey they shall file in the survey department of the city of Philadelphia; and it shall also be the duty of said park commissioners to appropriate the shores of the Wissahickon creek, on both sides of the same, from its mouth to the Paul's Mill road, and of such width as may embrace the road now passing along the same; and may also protect the purity of the water of said creek, and by passing along the crest of the heights which are on either side of said creek, may preserve the beauty of its scenery; the said park commissioners are hereby authorized and required to cause a proper survey to be made of said grounds upon the Wissahickon, and to file said survey in the survey department of the city of Philadelphia; and the grounds and creek hereby appropriated, are declared to be a part of Fairmount park.

Road and contiguous ground declared part of park.

Park commissioners to appropriate shores of Wissahickon creek.

To cause surveys of grounds to be made out and filed.

SECTION 3. That the title to and ownership of the ground within said boundaries shall be vested in the city of Philadelphia, excepting therefrom so much as shall be required by the Schuylkill Navigation Company, the Philadelphia and Reading, the Junction and Connecting Railroad Companies, for the execution of their franchises as now provided by law.

Title to ground within aforesaid boundaries, vested in city.

SECTION 4. So much of the ground as was embraced in the act to which this is a supplement, approved the twenty-sixth day of March, one thousand eight hundred and sixty-seven, and is not included in the above boundaries, is hereby released from all claim of title by the said city, with the same effect as if it had never been included.

Claim of city to portion of ground embraced in former act, released.

SECTION 5. That all the grounds taken within the boundaries of the Fairmount park, by the first section of this act, shall be subject to all the powers and control given by the act to which this is a supplement to the city of Philadelphia; and the park commissioners, designated by or appointed under said act, and the owners of all ground taken for the park, and others interested therein, shall be compensated as in said act is directed and provided.

Grounds subject to control of park commissioners.

Owners to be compensated.

SECTION 6. The said commissioners shall have power and authority, from time to time, to vacate any street or road within the boundaries of the park, (excepting Girard avenue,) and to open for public use such other roads, avenues and streets therein as they may deem necessary.

Commissioners may vacate streets, &c.

Councils to
cause altera-
tion of plans of
survey of cer-
tain wards, &c.

Avenue to be
laid out as a
boundary of
park,

Jurisdiction of
commissioners,
how far to ex-
tend.

Compensation
for buildings.

Proceedings
where owners
or lessees of
ground taken
cannot be found

Commissioners
and jury may
make partial or
special reports.

SECTION 7. The councils of the city of Philadelphia shall cause, under the supervision of the department of surveys, such alterations of the plan of survey of the Twenty-fourth ward as lies between Fairmount park, as by this act established, the Pennsylvania railroad and the City avenue, and of the contiguous parts of the Twentieth and Twenty-eighth wards as may become necessary or expedient by reason of the extension as aforesaid of the limits of the Fairmount park, and cause the same to be established in manner as now provided by law for revising or laying out plans of survey in and for the city of Philadelphia; and shall lay out an avenue as one of the streets of the city, of the width of not less than one hundred feet, as a boundary of the park, on the south-west, west and north-west sides thereof, extending from Girard avenue to the river Schuylkill, at or near the Falls bridge, and also upon the eastern side of the river from the intersection of Pennsylvania avenue and Thirty-third street northward along the boundary of said park to the river Schuylkill.

SECTION 8. The jurisdiction of the commissioners of the park shall extend to the breadth of the footway next the park, in all avenues or streets which shall bound upon the park, and they shall direct the manner in which such footways shall be laid out, curbed, paved, planted and ornamented, which footways shall not be less than twenty feet in width on any avenue or street of the width of one hundred feet, and of like proportion upon any street or avenue of a greater or less width, unless otherwise directed by the commissioners.

SECTION 9. The said park commissioners or jury, who shall assess the compensation to the owners for the ground taken, shall ascertain and make compensation for buildings as well as the ground taken; but all buildings and machinery and fixtures not required by the park commission shall be removed by the owners thereof whenever payment of the compensation awarded them shall be made or tendered to them, and upon such payment or tender the park commissioners shall forthwith take possession of the premises; if any owner or lessee of ground taken cannot be found, notice of the taking and valuation of his land shall be given by advertisement in two daily papers published in Philadelphia six times, and in the Legal Intelligencer twice, and the amount awarded in such case to the owner or lessee shall remain in the city treasury until such owner shall produce the decree of the court having jurisdiction in the premises, ordering the said moneys to be paid to him or his legal representatives.

SECTION 10. The said commissioners and jury may make partial or special reports from time to time to the court as they may be ready to do so, and the court may act upon such reports separately, and the powers of the jury shall continue, unless limited by the court or they be required by the court to make report, until they shall have reported on all the cases on which they have been appointed, although a term or terms of the courts shall have intervened; and jurors, not to exceed six in number, may be appointed upon one or more cases according to the order of the court made; and whenever any report of the said commissioners or of the jury shall have been

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confirmed by the court, the valuation made shall be forthwith payable by the city of Philadelphia.

SECTION 11. The city of Philadelphia shall be authorized and required to raise, by loans from time to time, such sums of money as shall be necessary to make compensation for all grounds heretofore taken or to be taken for said Fairmount park, and for the laying out and construction thereof for public use, for the permanent care and improvement thereof, and for all culverts and other means for preserving the Schuylkill water pure for the use of the citizens of said city, and shall annually assess taxes for keeping in repair and good order the said park, and shall also provide for the payment of the interest on all said loans and the usual sinking fund for the redemption thereof.

City to effect loans to make compensation for grounds taken, &c.

SECTION 12. The said park commissioners shall from time to time appoint such officers, agents and subordinates as they may deem necessary for the purposes of this act and the act to which this is a supplement, and they shall prescribe the duties and the compensation to be paid them; and so much of the second section of the act to which this is a supplement, as requires that the secretary shall be chosen from the commissioners, be and the same is hereby repealed.

Commissioners to appoint officers, agents, &c.

SECTION 13. It shall be lawful for said park commissioners to acquire title to the whole or any tract of land, part of which shall fall within the boundaries mentioned in the first section of this act, and to take conveyance thereof in the name of the city of Philadelphia; and such part thereof as shall lie beyond or within the said park limits again to sell and convey in absolute fee simple to any purchaser or purchasers thereof by deeds, to be signed by the mayor under the seal of the city, to be affixed by direction of councils, either for cash or part cash, and part to be secured by bond and mortgage to the city, paying all cash into the city treasury: *Provided*, That the proceeds of such sales shall be paid into the sinking fund for the redemption of the loan created under the provisions of this act: *Provided also*, That no commissioner nor any officer under the park commission shall in any wise be directly or indirectly interested in any such sale of lands by the commissioners as aforesaid; and if any commissioner or officer aforesaid shall act in violation of this proviso, he shall, if a commissioner, be subject to expulsion, if an officer, to be discharged by a majority of votes of the board of park commissioners, after an opportunity afforded of explanation and defence.

May acquire and sell lands situate in part within boundaries mentioned.

Proviso.

Proviso.

SECTION 14. The said board of commissioners shall annually hereafter, in the month of December, make to the mayor of the city of Philadelphia a report of their proceedings and a statement of their expenditures for the preceding year.

To make report to mayor annually.

SECTION 15. The said park commissioners shall have exclusive power to lease from year to year all houses and buildings within the park limits, which may be let without prejudice to the interests and purposes of the park by leases, to be signed by their president and secretary, and to collect the rents and pay them into the city treasury.

May lease houses, &c., within park limits.

Buildings erected on grounds by boat clubs, &c., relative to. SECTION 16. All houses and buildings now built or to be built on any part of the park grounds, by or for boat or skating clubs, or zoological or other purposes, shall be taken to have rights subordinate to the public purposes intended to be subserved by acquiring and laying out the park, and shall be subject to the regulations of said park commissioners under licenses, which shall be approved by the commission and signed by the president and secretary, and will subject them to their supervision and to removal or surrender to the city whensoever the said commissioners may require.

Commissioners may accept property upon trusts. SECTION 17. The said park commissioners shall have power to accept in the name and behalf of the city of Philadelphia devises, bequests and donations of lands, moneys, objects of art and natural history, maps and books, or other things, upon such trusts as may be prescribed by the testator or donor: *Provided*, Such trusts be satisfactory to the commission and compatible with the purposes of said park.

Proviso.

Debts to bind commissioners, how created. SECTION 18. None of the park commissioners nor any person employed by them shall have power to create any debt or obligation to bind said board of commissioners, except by the express authority of the said commissioners at a meeting duly convened.

Management, &c., of park

SECTION 19. The said park commissioners shall have the power to govern, manage, lay out, plant and ornament the said Fairmount park, and to maintain the same in good order and repair, and to construct all proper bridges, buildings, railways and other improvements therein, and to repress all disorders therein under the provisions hereinafter contained.

May license laying down of passenger railways.

SECTION 20. That the said park commissioners shall have authority to license the laying down and the use for a term of years from time to time of such passenger railways as they may think will comport with the use and enjoyment of the said park by the public, upon such terms as said commissioners may agree, all emoluments from which shall be paid into the city treasury.

Rules and regulations.

SECTION 21. The said park shall be under the following rules and regulations, and such others as the park commissioners may from time to time ordain:

I. No person shall turn cattle, goats, swine, horses or other animals loose into the park.

II. No person shall carry fire arms or shoot birds in the park or within fifty yards thereof, or throw stones or other missiles therein.

III. No one shall cut, break, or in anywise injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, structures or statuary, or foul any fountains or springs within the park.

IV. No person shall drive or ride therein at a rate exceeding seven miles an hour.

V. No one shall ride or drive therein upon any other than upon the avenues and roads.

VI. No coach or vehicle used for hire shall stand upon any part of the park for the purpose of hire, nor except in waiting for persons taken by it into the park, unless, in either case, at points designated by the commission.

OF THE SESSION OF 1868.

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VII. No wagon or vehicle of burden or traffic shall pass through the park, except upon such road or avenue as shall be designated by the park commissioners for burden transportation.

VIII. No street railroad car shall come within the lines of the park without the license of the park commission.

IX. No person shall expose any article for sale within the park without the previous license of the park commission.

X. No person shall take ice from the Schuylkill within the park without the license of the said commission first had, upon such terms as they may think proper.

XI. No threatening, abusive, insulting or indecent language shall be allowed in the park.

XII. No gaming shall be allowed therein, nor any obscene or indecent act therein.

XIII. No person shall go in to bathe within the park.

XIV. No person shall fish or disturb the water-fowl in the pool or any pond, or birds in any part of the park, nor discharge any fire-works therein, nor affix any bills or notices therein.

XV. No person shall have any musical, theatrical or other entertainment therein without the license of the park commissioners.

XVI. No person shall enter or leave the park except by such gates or avenues as may be for such purpose arranged.

XVII. No gathering or meeting of any kind assembled through advertisement shall be permitted in the park without the previous permission of the commission, nor shall any gathering or meeting for political purposes in the park be permitted under any circumstances.

XVIII. That no intoxicating liquors shall be allowed to be sold within said park.

SECTION 22. Any person who shall violate any of said rules and regulations, and any others which shall be ordained by the said park commissioners for the government of said park, not inconsistent with this act or the laws and constitutions of this state and United States, the power to ordain which rules and regulations is hereby expressly given to said commissioners, shall be guilty of a misdemeanor, and shall pay such fine as may be prescribed by said park commissioners, not to exceed five dollars for each and every violation thereof, to be recovered before any alderman of said city, as debts of that amount are recoverable; which fines shall be paid into the city treasury: *Provided*, That if said park commissioners should license the taking of ice in said park, or the entry of any street railroad car therein, or articles for sale, or musical entertainments, it may be with such compensation as they may think proper, to be paid into city treasury: *And provided*, That any person violating any of said rules and regulations shall be further liable to the full extent of any damage by him or her committed, in trespass or other action; and any tenant or licensed party who shall violate the said rules, or any of them, or consent to or permit the same to be violated on his or her or their premises, shall forfeit his or her or their lease or license, and shall be liable to

Penalty for violating rules and regulations.

Proviso.

Proviso.

1090

LAWS OF PENNSYLVANIA,

he forthwith removed by a vote of the park commission ; and every lease and license shall contain a clause making it cause of forfeiture thereof for the lessee or party licensed to violate or permit or suffer any violation of said rules and regulations, or any of them ; it shall be the duty of the police appointed to duty in the park, without warrant, forthwith to arrest any offender against the preceding rules and regulations whom they may detect in the commission of such offence, and to take the person or persons so arrested forthwith before a magistrate having competent jurisdiction.

Profits realized, to be paid into city treasury. SECTION 23. All rents, license, charges and fees, all fines, proceeds of all sales, except of lands purchased, and profits of whatsoever kind, to be collected, received or howsoever realized, shall be paid into the city treasury as a fund to be exclusively appropriated by councils for park purposes, under the direction of said commission: *Provided*, That moneys or property given or bequeathed to the park commissioners upon specified trusts shall be received and receipted for by their treasurer, and held and applied according to the trusts specified.

Proviso. SECTION 24. That the councils of the city of Philadelphia be and they are hereby authorized to widen and straighten any street laid upon the public plans of said city, as they may think requisite to improve the approaches to Fairmount park.

Councils may approve approaches to park. SECTION 25. That nothing in this act contained shall suspend or affect any proceeding pending in court under any existing law, but the same shall be proceeded in as if this act had not been passed

Act not to affect proceedings pending in court. SECTION 26. The damages for ground and property taken for the purpose of this act shall be ascertained, adjusted and assessed in like manner as is prescribed by the act to which this is a supplement.

Damages, how ascertained, &c. SECTION 27. The said park commissioners shall employ, equip and pay a park force adequate to maintain good order therein and in all houses thereupon; which force shall be subject to the orders of the mayor upon any emergency, and so far as said force shall consist of others than the hands employed to labor in the park, it shall be appointed and controlled as the other police of the city.

Commissioners to employ park force to maintain order. SECTION 28. There shall be an additional assistant appointed by the city solicitor, whose duty it shall be, under the direction of the city solicitor, to attend to the assessments of damages, and to such other business of a legal nature connected with the park as said commissioners may require.

City solicitor to appoint additional assistant.

GEO. T. THORN,

Speaker of the House of Representatives *pro tem*.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

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Mar. 18.
Dapt. CH. D.

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LAWS AND ORDINANCES
GOVERNING THE
VILLAGE^{OF} HYDE PARK

TOGETHER WITH ITS
CHARTER AND GENERAL LAWS

AFFECTING MUNICIPAL CORPORATIONS; SPECIAL ORDINANCES AND
CHARTERS UNDER WHICH CORPORATIONS HAVE VESTED RIGHTS
IN THE VILLAGE. ALSO, SUMMARY OF DECISIONS OF THE
SUPREME COURT RELATING TO MUNICIPAL CORPO-
RATIONS, TAXATION AND ASSESSMENTS.

PRINTED AND PUBLISHED BY
AUTHORITY OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF HYDE PARK.

REVISED AND ARRANGED
BY CONSIDER H. WILLETT,

VILLAGE ATTORNEY.



HYDE PARK:
1876.

can



172 AND 174 CLARK STREET.

FEB 4 1915

§ 2. The bonds authorized to be issued by the act of which this is amendatory and supplemental, may be issued, sold, and the proceeds applied for acquiring said lands, and for any and all purposes in the said act mentioned. Said bonds shall be retired and canceled as fast as the money for that purpose can be obtained, by the collection of the money due upon the special assessment provided for in section seven of the act hereinbefore mentioned, and a sufficient amount of any bonds that may be issued by the city of Chicago under any law now in force or hereinafter enacted, and received by said commissioners, shall be applied to the purpose of retiring the bonds authorized by said act.

§ 3. The ninth section of said act is hereby so amended that the words "during the current year," shall read "during the next succeeding year."

§ 4. That the twelfth section of said act be and the same is hereby amended so as to read as follows: The said commissioners, or either of them, may be removed from office by the judge of the circuit court of Cook county, upon the petition presented to him in term time, or in vacation, by one hundred freeholders of said towns of South Chicago, Hyde Park and Lake, if it shall appear after hearing proof before said judge, that the said commissioners, or either of them, have been guilty of misdemeanor or malfeasance in office under this act; and if the said judge shall remove any one or more of said commissioners from office for any cause before the expiration of their term of office, he is hereby authorized and empowered to fill the vacancy or vacancies thus created by appointing other commissioners in their place, who shall serve during the unexpired terms of the commissioners so removed.

§ 5. The commissioners to be appointed under said act are hereby vested with the same powers and duties as are conferred by said act in relation to lands designated for parks, over all streets running longitudinally along and adjoining any and all of the proposed parks, or strips of land designated in said original act, as are conferred by said act in relation to such parks and strips of land, as may be necessary to improve and keep in repair the same, in connection with the said parks or strips of land without obstructing the fences or other structures, free access to the said streets from existing roads and streets, and by owners of land abutting on the same.

§ 6. The elections held in the towns of South Chicago, Hyde Park and Lake, on the twenty-third day of March, A. D. 1869, under and by virtue of the eighteenth section of the act to which this is an amendment, are hereby legalized and confirmed, and said act shall be held and deemed to have been regularly and legally adopted by the legal voters of said towns, and shall remain in full force and effect, and shall be liberally construed in all courts, with a view to carry out and enforce the intent and meaning of the same.

§ 7. This act is hereby declared a public act, and shall take effect and be in force from and after its passage.

SOUTH PARK ORDINANCES.

Whereas, by an act of the general assembly of the State of Illinois, entitled an act to provide for the location and maintenance of a park for the towns of South Chicago, Hyde Park and Lake, it is provided as follows, to-wit:

"The said board shall have full and exclusive powers to govern, manage and direct said park ; to lay out and regulate the same ; to pass ordinances for the regulation and government thereof ; to appoint such engineers, surveyors, clerks, and other officers, including a police force, as may be necessary ; to define and prescribe their respective duties and authority ; to fix the amount of their compensation ; and, generally, in regard to said park, they shall possess all the powers and authority now by law conferred upon or possessed by the common council of the city of Chicago, in respect to public squares and places in said city."

Therefore, be it ordained by the South Park Commissioners as follows:

§ 1. The said park, which is under the management and direction of the South Park Commissioners, shall be, and the same is hereby designated, as the South Park.

§ 2. No person shall, without the consent of the superintendent, play at ball, cricket, or any other game or play whatever, in said park.

§ 3. No person shall climb or walk upon any wall or fence of said park.

§ 4. Cattle, horses, goats, swine, or other animals, or domestic fowls, shall not be turned into said park, or allowed to run at large therein.

§ 5. No dog or bitch, or domestic fowl, belonging to any officer or employee of said commissioners residing within the limits of said park, shall be permitted to run at large.

§ 6. All persons are forbidden to carry fire arms, or to throw stones or other missiles within said park. All persons are forbidden to cut, break, or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, bridges, or other construction or property within or upon said park.

§ 7. No person shall converse with, or in any manner hinder those engaged in constructing or repairing said park.

§ 8. No animal shall be driven or ridden in said park, at a rate of speed exceeding eight miles per hour.

§ 9. No vehicle, or horse, or other animal, shall be permitted on the foot walks, the same being assigned exclusively to pedestrians ; nor shall any vehicle, or horse or other animal of burden, go or be taken upon any part of said park, except upon the carriage drives and upon such places as are appropriated for carriages at rest.

§ 10. No vehicles or animals shall be permitted to stand upon the drive or carriage roads of said park, or of any part thereof, to the obstruction of the way, or the inconvenience of travel ; nor shall any person solicit passengers within said park without consent of the board.

§ 11. No person shall, within said park, expose for sale any article or thing, nor shall any hawking or peddling be allowed therein.

§ 12. No omnibus, wagon, cart, dray, truck, or other vehicle for carrying goods, merchandise, manure, or other articles, except such as are engaged in repairing or constructing said park, shall be allowed to enter the same.

§ 13. No language, abusive, insulting, obscene, or calculated to occasion a breach of the peace, shall be permitted in said park, nor shall persons tell fortunes, play at any game of chance, at any table or instrument, be drunk, or do any indecent acts therein.

SOUTH PARK ORDINANCES.

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§ 14. No person shall bathe or fish, or go or send, or ride any animals into the waters of said park, nor shall any person disturb any fish, fowl or other animals kept therein, or throw or place any article or thing into the waters or upon the grounds thereof.

§ 15. No person shall discharge, or set, or touch off, or enkindle, or operate any manner of fire, or fireworks in the said park.

§ 16. No person shall, in the said park, post or fix any notice or bill; nor shall such be posted or fixed on any tree, fence, or any place therein.

§ 17. No person shall, in the said park, play any musical instrument, nor carry or display any flags, banners, transparencies, or target.

§ 18. No band or company shall be permitted to parade, drill, or perform any movements, evolutions or ceremony in said park without the consent of the park commissioners.

§ 19. No funeral procession, or hearse carrying a deceased body, shall be in the said park permitted.

§ 20. No horse or other animal shall be permitted to go upon any grass or lawn, nor shall any person be permitted to go thereon except where the word "common" shall be posted to indicate the permission so to do.

§ 21. Any member of the South Park police shall have power to arrest, and commit for examination, any person who shall not, when directed, desist from any violation thereof.

§ 22. Any person who shall disobey, or neglect, fail, or refuse to comply with this ordinance, or any section thereof, except when otherwise herein provided, shall, on conviction thereof, pay a fine of not less than *five*, or more than one hundred dollars.

§ 23. The police force of said South Park Commissioners, shall consist of one captain, three sergeants, and such number of policemen as shall from time to time be appointed, and they shall hold their respective offices during the pleasure of the park commissioners. The captain of police shall have the general charge of the police force, subject to such rules and regulations as shall from time to time be established, and it shall be his duty to report to the commissioners, in writing, the delinquency of any member of the police force, and may suspend any such member, until such delinquency shall be acted upon by the commissioners.

§ 24. The several members of the police force, when on duty, shall devote their time and attention to discharge of the duties of their station according to the ordinance, rules, and regulations and directions of the superintendent, and it shall be their duty, to the best of their ability, to preserve order, peace, and quiet, and to enforce the laws and the ordinances of said commissioners, and they shall not engage in conversation with an employée of the park during working hours, except in the line of duty; they shall have power to arrest any persons in the park found in the act of violating any law or ordinance, or abetting and aiding in any such violation, and shall take all such persons so arrested, as follows, to-wit: when the offense is committed in that portion of the park situated in the town of Hyde Park, to some justice or magistrate in Hyde Park; when the offense is committed in that portion of the park situated in the town of Lake, to some justice or magistrate in said town of Lake; and when the offense

is committed in that portion of the park situated in the town of South Chicago, to some justice of the peace in said town of South Chicago.

§ 25. Whoever, in said park, shall resist any member of the police force in the discharge of his duty, or shall in any way interfere with, or hinder or prevent him from discharging his duty, as such member, or shall offer or endeavor to do so ; and whoever shall in any manner assist any person in custody of any member of the police force to escape, or attempt to escape, from such custody, or shall rescue, or attempt to rescue, any person in custody, shall be fined not less than five dollars, or more than one hundred dollars.

§ 26. The superintendent, in cases of emergency, is hereby authorized and empowered to appoint special policemen, and such special policemen shall have the same power and authority of regular policemen, provided the appointment of such special policeman shall in no case continue for a period exceeding twenty-four hours.

§ 27. The sergeant of police shall perform the duties of the captain when the latter shall be absent from duty.

§ 28. The police force shall be uniformed as follows : Gray frock coat, pants and vest, and cap with brass buttons, and black cord on leg of the pants.

§ 29. Any person who shall falsely represent or personate any of the members of the police force, or who shall maliciously, with intent to deceive, use or imitate any of the signs, signals, or devices adopted and used by the police department, or shall wear in public the uniform adopted as the police uniform, after having been removed or suspended, shall be subject to a fine of not less than five dollars nor more than one hundred.

§ 30. These ordinances shall take effect and be in force from and after the 19th day of November, 1875.

THE
MUNICIPAL CODE
OF
CHICAGO:

COMPRISING THE
LAWS OF ILLINOIS RELATING TO THE CITY OF CHICAGO,
AND THE
ORDINANCES OF THE CITY COUNCIL;
CODIFIED AND REVISED

BY
EGBERT JAMIESON AND FRANCIS ADAMS.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

CHICAGO:
BEACH, BARNARD & Co., LEGAL PRINTERS.
1881.

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person who shall be convicted of any such breach shall be adjudged to pay a fine of not less than three dollars nor more than one hundred dollars.

1683. In every prosecution brought for a violation of any ordinance of the city of Chicago, where the offense charged is one punishable under the laws of the State of Illinois as a misdemeanor, the court or magistrate trying the cause may upon conviction in lieu of the fine imposed by the ordinance or in addition thereto, cause the offender to be imprisoned in the house of correction for a period not exceeding three months.

1684. All the printed books containing the revised ordinances shall be deposited with the city comptroller. He shall deliver one copy thereof to each officer of the city, and to such other persons as the city council may direct.

1685. The mayor shall have power to extend to or reciprocate courtesies of other cities, by presenting to them a copy of the revised ordinances bound at the expense of the city in such manner as to him may seem suitable.

ARTICLE XLIII.

Parks and Public Grounds.

1686. The several public parks, squares and grounds in the city of Chicago, shall be known and designated by the names applied thereto respectively on the map of the city of Chicago published by J. Van Vechten and Snyder in the year 1877.

1687. It shall be the duty of the commissioner of public works to superintend all inclosed public grounds and keep the fences thereof in repair, the walks in order and the trees properly trimmed and improve the same according to plans approved by the city council. He shall likewise cause printed or written copies of prohibitions of this article to be posted in the said grounds or parks.

1688. No person shall enter or leave any of the public parks of the city of Chicago except by their gateways; no person shall climb or walk upon their walls or fences.

1689. Neither cattle, horses, goats, swine or other animals, except as herein provided, shall be turned into any one of the said parks by any person.

1690. All persons are forbidden to carry firearms or to throw stones or other missiles within any one of the public parks. All persons are forbidden to cut, break or in any way injure or deface

the trees, shrubs, plants, turf or any of the buildings, fences, bridges or other construction or property within or upon any of the said parks.

1691. No person shall converse with or in any way hinder those engaged in their construction.

1692. No person shall expose any article or thing for sale upon any of said parks, except such person shall have been previously licensed by the commissioner of public works, nor shall any hawking or peddling be allowed therein.

1693. No threatening, abusive, insulting or indecent language shall be allowed in any part of either of the said parks whereby a breach of the peace may be occasioned. No person shall be allowed to tell fortunes or play at any game of chance at or with any table or instrument of gaming, nor to do therein any obscene or indecent act.

1694. In case of any emergency where life or property is endangered, all persons if required so to do by the superintendent or any of his assistants, shall remove from the portion of either of said parks specified by the superintendent or his assistants and remain off the same until permission is given to return.

1695. The commissioner of public works may direct that any of the entrances to the public parks be closed at any time.

1696. No person shall bathe or fish in, or go or send or ride any animal in any of the waters of either of the said public parks, nor disturb any of the fish, water fowl or other birds in any of said parks, or any deer, sheep or other animal belonging to and preserved therein, nor throw or place any article or thing in the waters within either of said parks.

1697. No person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within either of said parks nor upon any of the gates or inclosures thereof.

1698. No person shall without the consent of the commissioner of public works, play upon any musical instrument nor shall any person take into or carry or display in the said public parks any flag, banner, target or transparency. No military or target company civic or other shall be permitted to parade, drill or perform therein any military or other evolutions or movements. Nor shall any fire engine, hook and ladder truck, hose cart or other machine on wheels commonly used for the extinguishing of fires be allowed on any part of said parks without the previous consent of the commissioner of public works.

1699. No person other than employes shall light, make or use any fire thereon.

1700. No person shall go upon the grass, lawn or turf of the parks except when and where the word "common" is posted, indicating that persons are at liberty at that time and place to go on the grass.

1701. Any member of the city police shall have power to arrest any person who shall not desist from any violation hereof when directed, and cause him to be committed for examination.

1702. The foregoing sections of this article so far as applicable shall apply to all the public squares of the city of Chicago.

1703. Any person who shall violate any or either of the provisions of this or any section or clause or any provision of any section thereof, or who shall neglect or fail or refuse to comply with any or either of the requirements thereof, shall on conviction pay a fine of not less than five dollars nor more than one hundred dollars.

ARTICLE XLIV.

Pawnbrokers and Loanbrokers or Keepers of Loan Offices.

1704. The mayor may from time to time grant licenses to such persons as shall produce to him satisfactory evidence of their good character to exercise or carry on the business of a pawnbroker, or of a loanbroker or keeper of a loan office; and no person shall exercise or carry on the business of a pawnbroker, loanbroker or keeper of a loan office without being duly licensed, under the penalty of one hundred dollars for each day he or she shall exercise or carry on said business without such license.

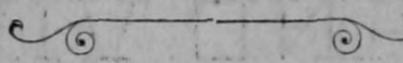
1705. Any person who loans money on deposit or pledge of personal property or other valuable thing, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, is hereby defined and declared to be a pawnbroker.

1706. Every person receiving such license shall pay therefor the sum of one hundred and fifty dollars for the use of the city.


1707. Every person so licensed shall at the time of receiving such license, enter with two sufficient sureties into a joint and several bond to the city of Chicago in the penalty of five hundred dollars, conditioned for the due observance of all such ordinances of the city council as may be passed or in force respecting pawnbrokers and loanbrokers or keepers of loan offices, at any time during the continuance of such license.

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THE REVISED
ORDINANCES
OF THE
CITY OF DANVILLE.




PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.



REVISED AND ARRANGED BY

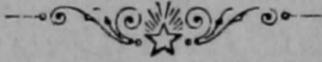
MANN, CALHOUN & FRAZIER.



DANVILLE, ILL. :
BOWMAN & FREESE, BOOK AND JOB PRINTERS.
1883.



GENERAL INCORPORATION LAW
OF
CITIES AND VILLAGES.



OCT 13 1915

CHAPTER XIX.

PARKS.

SECTION.

1. Committee on public grounds, etc. to have charge.
2. Entering Parks, etc.—Climbing on fences.
3. Turning animals into park, etc.
4. Firearms—Shooting—fire works prohibited.
5. Injury to trees, grass, buildings.
6. Selling, hawking, peddling, etc. forbidden.
7. Bathing, fishing, etc. prohibited.

SECTION.

8. Abusive, profane language, etc. prohibited.
9. Gaming, etc. prohibited.
10. Intoxicated persons, indecent or unlawful acts.
11. Fires in parks forbidden.
12. Carriages on turf, etc.—hitching horses to trees, etc.
13. Throwing stones, rubbish, etc. in parks.
14. Posting bills, etc. forbidden.

COMMITTEE ON PUBLIC GROUNDS, ETC., TO HAVE CHARGE OF PARKS.] § 1. It shall be the duty of the committee on Public Grounds and Buildings to superintend all inclosed public grounds or parks in said city, and keep the fences thereof in repair, the walks in order, the trees properly trimmed, and to improve the same according to plans approved by the city council.

PENALTY FOR LEAVING PARK EXCEPT AT GATEWAYS—CLIMBING ON FENCE, ETC.] § 2. Whoever shall enter or leave any of the public parks of this city except by their gateways, or shall walk or climb upon any of the fences inclosing, or in the same, shall be fined not less than one dollar nor more than ten dollars for each offense.

TURNING ANIMALS INTO PARK PROHIBITED.] § 3. Whoever shall turn any cattle, horses, goats, swine or other animals into any park of said city, or permit the same, or any of them, to run therein, shall be fined not less than three dollars, nor more than fifty dollars, for each offense.

FIRE-ARMS AND FIRE-WORKS FORBIDDEN.] § 4. Whoever shall carry any fire-arms into said parks, or shall fire off or discharge the same in, or into said parks, or any of them; or whoever shall shoot, fire or discharge any kind of fire-works therein, shall be fined not less than one dollar nor more than one hundred dollars, for each offense.

INJURY TO TREES, GRASS, BUILDINGS, ETC.] § 5. Whoever shall cut, break or injure in any way any tree, shrub or plant, in any such park; or shall cut, tramp, or injure in any way the turf or grass therein, or shall walk or lie upon the grass at any place where placards are posted directing persons to keep off, or not to walk upon the same; or shall cut, mark, deface or in any way injure any of the buildings, fences, bridges, or other constructions, or property of any kind, in any such park, shall be fined not less than one dollar, nor more than one hundred dollars for each offense.

SELLING, HAWKING OR PEDDLING FORBIDDEN.] § 6. Whoever shall sell, or offer to sell, any article or thing, in any such park, or shall hawk or peddle any article or thing therein, or attempt so to do, shall be fined not less than three dollars, nor more than one hundred dollars.

BATHING—FISHING, ETC., PROHIBITED.] § 7. Whoever shall bathe, fish in, or ride or drive any animal in the waters of any such park, or throw any rubbish or garbage or other thing into any stream or waters of such park, shall be fined not less than three dollars, nor more than ten dollars.

ABUSIVE LANGUAGE, ETC.] § 8. Whoever shall use any threatening, abusive, insulting, profane, or indecent language in any part of any such park, shall be fined not less than three dollars, nor more than one hundred dollars.

GAMING, ETC., PROHIBITED.] § 9. Whoever shall gamble for money or other valuable thing, or anything representing or intended to represent money, or other thing of value, or shall play at any game of chance, or at or with any table, instrument or device of gaming, in any part of any such park, shall be fined not less than five dollars, nor more than two hundred dollars for each offense.

INTOXICATED PERSONS—INDECENT OR UNLAWFUL ACTS.] § 10. Whoever shall be found in any such park in an intoxicated condition, or shall resort to such park for any indecent, or unlawful purpose; or shall be guilty of any indecent, obscene, vulgar, improper or unlawful act while there, shall be fined not less than five dollars, nor more than two hundred dollars.

FIRES IN PARK PROHIBITED.] § 11. Whoever, except employees, or laborers in such park, shall light or make any fire in said parks, shall be fined not less than three dollars, nor more than one hundred dollars.

DRIVING CARRIAGES, ETC., ON TURF—HITCHING HORSES TO TREES.] § 12. Whoever shall drive any carriage or vehicle of any kind, or any horse or other animal upon the grass, lawn or turf, of any such park, or shall hitch a horse to any of the shrubs or trees therein, shall be fined not less than one dollar, nor more than fifty dollars for each offense.

THROWING STONES, RUBBISH, ETC., IN PARKS.] § 13. Whoever shall throw any stones into, or in such parks, or shall throw or place any rubbish or garbage of any kind therein, or shall leave or place any bottle, cans, paper, or scraps of any kind therein, shall be fined not less one dollar, nor more than twenty-five dollars for each offense.

POSTING BILLS, ETC., FORBIDDEN.] § 14. Whoever shall post, or otherwise affix any bills, notice or other paper, upon any fence, tree, bridge, building or other structure therein, shall be fined not less than three dollars.

Grand Rapids, Mich. Ordinances, etc.
COMPILED ORDINANCES

c#

OF THE

City of Grand Rapids

Containing all Ordinances passed by the
Common Council, of the City of Grand Rapids,
in force September 1, 1906

Compiled and Indexed
Under Authority of the Common Council
By
COLIN P. CAMPBELL. LL. M.

PUBLISHED BY AUTHORITY OF THE
COMMON COUNCIL

1907?

*The Public Lib
Jan 27. 1912*

dollars and costs of prosecution, or by imprisonment at hard labor in the common jail of the County of Kent, or in any penitentiary, jail, work-house, house of correction, or alms-house of said city, in the discretion of the court or magistrate before whom the conviction may be had, for a period of not less than five days, nor more than ninety days; and in case such court or magistrate shall only impose a fine and costs, the offender may be sentenced to be imprisoned at hard labor in the common jail of the County of Kent, or in any penitentiary, jail, work-house, house of correction, or alms-house of said city, until the payment of such fine and costs, for a period of not less than five days nor more than ninety days.

Repealing Clause.

Sec. 429 (14). The following ordinances are hereby repealed, to-wit: An ordinance entitled "An Ordinance Relative to Public Lamps and Lamp Posts in the City of Grand Rapids," passed March 1, 1873;

Also an ordinance entitled, "An ordinance Relative to Public Parks and Places in the City of Grand Rapids," passed March 8, 1873;

Also an ordinance entitled, "An Ordinance Relative to the Protection, Preservation and Use of Bridges Across Grand River in the City of Grand Rapids, belong to said city," passed June 21, 1873;

Also an ordinance entitled, "An Ordinance Relative to the Preservation of Public Property of the City of Grand Rapids," passed March 1, 1873;

Also all other ordinances and parts of ordinances in anywise contravening the provisions of this ordinance.

An Ordinance to Regulate the Use of the Public Parks of the City of Grand Rapids, and to Provide for the Preservation of Public Property Therein. Passed May 4, 1891. Amended June 20, 1892, and October 11, 1897.

The Common Council of the City of Grand Rapids do ordain as follows:

Parks—Injury to Trees, Etc.—Animals, Etc.—Handbills.

Sec. 430 (1). No person shall break, cut, mutilate, injure,

overturn, remove or carry away any tree, shrub, plant, flower, stone, or stone-work, bench, chair, seat, bower, stand, house, arbor, structure, fence or property, or anything whatsoever in, upon or belonging to any park, square or open space, in the City of Grand Rapids, or in any street, avenue, or highway in, adjoining to or around the same; nor shall any person climb up, or upon, any building, house, fence, table, seat or other structure in said park, place or square; nor shall any person kill, disturb, or molest any bird or bird's nest, or any fish or animal within, belonging to or being therein; nor shall any person paste or affix or inscribe any hand-bill, sign, poster, card, device or inscription to, upon or against any fence, tree, structure, or property of or on such park, place, square or highway, in or adjoining the same; nor shall any person disfigure or injure any sward, gravel, sand, turf or earth, or any tree, fence or structure therein, or adjoining thereto; nor shall any person fasten or hitch any animal to any tree, fence or structure in, or upon, the same, unless the same shall be designated and set apart for such purpose; nor shall any person ride or drive any animal or vehicle therein except upon the proper roadways, avenues and drives, and shall not drive therein at a speed exceeding eight miles per hour.

Parks—Speeches in.

Sec. 431 (2). No person shall deliver any oration, address, speech, sermon or lecture therein unless he shall have first received permission from the Common Council of the City of Grand Rapids, or the Mayor or other lawful authority so to do; nor shall any public meeting be held therein unless leave is first obtained.

Parks—Dogs in—Fire Arms.

Sec. 432 (3). No person shall allow or permit any domestic animal to go, be, or run at large within any such park, place or square; nor shall any person carry any rifle, gun, or other fire arm of any kind within any park of the City of Grand Rapids, and no dog shall be allowed therein except when fastened or led by a cord or string not exceeding six feet in length.

Parks—Disorderly Language—Games—Handbills—Peddlers—Picnics in.

Sec. 433 (4). (As amended October 11, 1897.) No person shall

use any threatening, obscene, profane or indecent language in any such park, open place or square, or be guilty of any disorderly or indecent conduct; nor shall any person indulge in any games, acts or demeanor calculating or tending to mar or disturb the feelings or enjoyment of the visitors attending such parks, places or squares; nor shall any person or persons deposit any rubbish or refuse in or upon such park, place or square, except the same be deposited in waste baskets to be provided by the Committee on Parks; nor shall any person post, exhibit or distribute any advertisement, circular or hand bill therein; nor shall any peddler or petty dealer sell, or in any manner dispose of any article in or immediately adjoining any public park, place or square in said city, unless he shall first obtain express permission so to do from the Common Council of the City of Grand Rapids. Picnics and social parties may be allowed in such portions of said parks as shall be designated and set apart by the Park Committee of the Common Council of the City of Grand Rapids from time to time.

Hours When Parks Open to Public.

Sec. 434 (5). (As amended June 20, 1892.) The three public parks belonging to said city and respectively named and known as the "John Ball Park," "Lincoln Park" and "Highland Park," shall be open to the public only between the hours of sunrise and 9 p.m. of each and every day, and it shall not be lawful for any person or persons, except the person and employes in charge of any such park, to enter therein before the hour above named for the opening of said park, or to remain therein after the hour above fixed for the closing thereof; Provided, however, That the Committee on Parks of the Common Council or Mayor of said city shall have the power, in their discretion, whenever special occasion may require it, to specially provide for all or any of said parks above named being opened at an earlier hour or closed at a later hour than the hours above designated.

Any person who shall violate any of the provisions or requirements of this section shall be liable to the punishment prescribed in Section 6 of this ordinance.

Penalty.

Sec. 435 (6). (As re-numbered June 20, 1892, and amended

October 11, 1897.) Any person or persons who shall violate any of the provisions or requirements of this ordinance, on conviction thereof, shall be punished by a fine of not less than two dollars nor more than one hundred dollars and costs of prosecution, or by imprisonment at hard labor in the common jail of the County of Kent, or in any penitentiary, jail, workhouse or house of correction of said city, in the discretion of the court or magistrate before whom the conviction may be had, for a period of not less than two days nor more than ninety days; and in case such court or magistrate shall only impose a fine and costs, the offender may be sentenced to be imprisoned at hard labor in the common jail of the County of Kent, or in any penitentiary, jail, workhouse or house of correction of said city, until the payment of such fine and costs, for a period of not less than two days nor more than ninety days.

An Ordinance Relative to Cemeteries and the Protection Thereof and the Burial of the Dead in the City of Grand Rapids. Passed January 13, 1896.

The Common Council of the City of Grand Rapids do ordain as follows:

Public Cemeteries—What Are.

Sec. 436 (1). All cemeteries now owned or which may hereafter be acquired by the City of Grand Rapids, wherever situated, and all cemeteries now within the limits of said city, whether owned by said city or not, are hereby declared to be public burial grounds, and no person or persons, corporation, society or congregation shall establish or locate any other cemetery within the limits of said city.

No Interments Except in Cemeteries.

Sec. 437 (2). No interment of the body of any person shall be made in any other place than within a cemetery devoted to that purpose.

Cemeteries—Property in Not to be Injured.

Sec. 438 (3). No person or persons shall injure, cut or remove any trees, shrubbery, gate, fence, post or steps, standing, growing or being in and upon any cemetery or cemetery grounds belonging to said city.

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ORDINANCES.

The Board of Park Commissioners of the City of Lynn, by virtue of its authority to make rules for the use and government of the Public Parks of said City, and for breaches of such rules to affix penalties, hereby ordains that within the limits of Lynn Woods, except with the prior consent of the Board, it is forbidden :

1. To cut, break, injure, deface, defile or ill use any building, fence, or other construction, or any tree, bush or turf, or any other thing or property.

2. To have possession of any freshly-plucked tree or bush.

3. To throw stones or other missiles; to discharge or carry firearms, except by members of the Police Force in the discharge of their duties; to discharge or carry firecrackers, torpedoes or fireworks; to make fires; to have any intoxicating beverages; to sell, to offer or expose for sale, any goods or wares; to post or display signs, placards, flags, or advertising devices; to solicit subscriptions or contributions; to play games of chance, or have possession of instruments of gambling; to utter profane, threatening, abusive or indecent language, or to do any obscene or indecent act; to bathe or fish; to solicit the acquaintance of, or follow, or otherwise annoy other visitors.

4. To allow cattle, horses, or other animals to pass over or stray upon the Park lands, provided that this shall not apply to those used for pleasure travel when on the ways or places provided and open for the purpose.

5. To drive a horse or horses at a rate faster than eight miles an hour.

6. To ride a horse at a rate faster than ten miles an hour.

7. To drive or ride any animal not well broken and under perfect control of the driver.

8. To play ball or other games or sports, except on grounds provided therefor.

9. To engage in conversation with men at work, or to obstruct, hinder or embarrass their movements.

10. To refuse to obey the orders or requests of either of the Commissioners, or of the Park Police, or other agents of the Commissioners, and to refuse to assist them when required.

Any person wilfully doing either of the things above forbidden shall be punished by fine not exceeding twenty dollars.

Compliance with the foregoing regulations is a condition of the use of these premises.

PARK ORDINANCES.

SPRINGFIELD, MASS., May 2, 1891.

The Board of Park Commissioners of the City of Springfield, by virtue of its authority to make Rules for the use and government of the Public Parks of said city, and for breaches of such rules to affix penalties, hereby ordains that within the Public Parks, except with prior consent of the Board, it is forbidden:—

1. To cut, break, injure, deface, defile, or ill-use any building, fence, or other construction, or any tree, bush, plant, or turf, or any other thing or property of said city, or to have possession of any freshly plucked tree, bush, or plant, or part thereof.

2. To allow animals of any kind to pass over or stray upon the Park lands, provided this shall not apply to dogs when closely led by a cord or chain not more than six feet long.

3. To throw stones, balls, or other missiles; to discharge or carry firearms, fire-crackers, torpedoes, or fireworks; to make fires; to play musical instruments; to have any intoxicating beverages; to sell, offer, or expose for sale any goods or wares; to post or display signs, placards, flags or advertising devices; to solicit subscriptions or contributions; to play games of chance, or to have possession of instruments of gambling; to make orations, harangues, or loud outcries; to enter into political canvassing of any kind; to utter profane, threatening, abusive, or indecent language, or to do any obscene or indecent act; to bathe or fish; to solicit the acquaintance of, or follow, or otherwise annoy other visitors.

4. To take birds, fish, or any live animal or birds' nest, or in any way interfere with cages, boxes, places, or inclosures for their protection.

5. To play ball or any other games in any Public Park except such portions thereof as may be set apart for that purpose.

6. To drive any carriage, cycle, cart, wheelbarrow, hand cart or horse, upon any Park except upon regular carriage roads, and no heavy teaming will be allowed whatsoever.

7. To drive or ride a horse or horses at a rate faster than eight miles an hour.

8. To drive or ride any horse or animal not well broken and under perfect control of the driver.

9. To ride a cycle at a rate faster than eight miles an hour.

10. To refuse to obey the orders or requests of either of the Commissioners, or of the Park Police or other agents of the Commissioners, and to refuse to assist them when required. Any person willfully doing either of the things above forbidden, shall be punished by fine not exceeding twenty dollars.

Compliance with foregoing regulations is a condition of the use of these premises.

DANIEL J. MARSH, *President*,
ORICK H. GREENLEAF,
JOHN E. TAYLOR,
EVERETT H. BARNEY,
WILLIAM F. CALLENDER, *Secretary*,

} *Park
Commissioners.*

LAWS AND ORDINANCES

OF THE

CITY OF PEORIA

ILLINOIS

REVISED AND EDITED BY

WILBERT I. SLEMMONS, ISRAEL C. PINKNEY

AND

DANIEL F. RAUM

AND

PUBLISHED BY AUTHORITY OF THE

CITY COUNCIL

=====

PEORIA

J. W. FRANKS & SONS, PRINTERS AND BINDERS

1892

SEP 13 1927

mitigated by any provision of this ordinance, such provision may, by the consent of the party affected, be applied to any judgment pronounced after this ordinance takes effect.

ARTICLE 35.

PARKS AND PUBLIC GROUNDS.

Section.

- 1721. Parks and Public Grounds--Superintendence of.
- 1722. Entrance and Egress.
- 1723. Animals Prohibited.
- 1724. Fire-arms, Missiles, etc.--Injury to Property.
- 1725. Sales--Peddling and Hawking--Prohibited.

Section.

- 1726. Indecent Words or Act--Fortune Telling--Gaming.
- 1727. Bill Posting Forbidden.
- 1728. Grass Not to be Trodden--Except.
- 1729. Police--Arrest of Offenders.
- 1730. Penalty.

1721. Parks and Public Grounds--Superintendence of.]

§ 1. The commissioner of public works of the city of Peoria, shall have supervision and control of all public parks, public squares, and public grounds, in the city of Peoria, and shall appoint such park janitors as the city council may authorize, and shall keep the fences thereof in repair, the walks in order, and the trees properly trimmed, and improve the same according to the plans approved by the city council.

1722. Entrance and Egress.] § 2. No person shall enter or leave any of the public parks, public squares, or public grounds of the city of Peoria, except by their gateways; and no person shall climb, or walk upon their walls or fences.

1723. Animals Prohibited.] § 3. Neither cattle, horses, goats, swine, or other animals, shall be turned into, or allowed in any of the parks, public squares, or public grounds, of the city of Peoria, by any person.

1724. Fire Arms, Missiles, Etc.--Injury to Property.]

§ 4. All persons are forbidden to carry fire arms, or to throw stones, or other missiles, within any of the public parks, public squares, or public grounds, within said city. All persons

are forbidden to cut, break, or in any way injure, or deface, the trees, shrubs, plants, turf, or any of the buildings, fences, bridges, or other property, within or upon any of the public grounds heretofore mentioned.

1725. Sales, Peddling and Hawking Prohibited.] § 5. No person shall expose any article or thing for sale upon any of said public parks, public squares or public grounds; nor shall any hawking, or peddling be allowed therein.

1726. Indecent Words or Acts—Fortune Telling—Gaming.] § 6. No threatening, abusive, insulting, or indecent language shall be allowed in any part of said public grounds, whereby a breach of the peace may be occasioned. No person shall be allowed to tell fortunes, or play at any game of chance, or with any table or instrument of gaming, nor to do therein, any obscene or indecent act.

1727. Bill Posting Forbidden.] § 7. No person shall post, or otherwise affix, any bills, notice, or other paper upon any structure or thing, within any of the said public grounds, nor upon any of the gates or enclosures thereof.

1728. Grass Not to be Trodden—Except.] § 8. No person shall go upon the grass, lawn, or turf of the parks, except when and where the word "common" is posted; indicating that persons are at liberty, at that time and place, to go on the grass.

1729. Police—Arrest of Offender.] § 9. Any member of the city police shall have power to arrest any person who shall not desist from any violation hereof, when directed, and cause him to be committed for examination.

1730. Penalty.] § 10. Any person who shall violate any or either of the provisions, of any section, or clause of this chapter or article, or who shall neglect, or fail, or refuse, to comply with any or either of the requirements thereof, shall, on conviction, pay a fine of not less than five dollars, nor more than one hundred dollars.

45

MUNICIPAL CODE

OF THE

CITY OF SPOKANE

WASHINGTON

TOGETHER WITH THE

CITY CHARTER

**AND AMENDMENTS, RULES OF THE CITY COUNCIL, AND LIST
OF FRANCHISE ORDINANCES**

REVISED, COMPILED AND CODIFIED BY

E. O. CONNOR

OF THE SPOKANE BAR

PUBLISHED BY AUTHORITY OF CITY COUNCIL.

SPOKANE, WASH.:
THE INLAND PRINTING COMPANY
1903

THE INLAND PRINTING COMPANY
Inland Press
SPOKANE, WASHINGTON

FEB 18 1913

wise injure or destroy the turf thereof, or who shall willfully cut down, lap, girdle, break, destroy, injure, or carry away any timber or tree whatsoever, being on land not owned or controlled by such person or persons, or who shall cut, break, destroy or in any manner injure any goods, wares, merchandise, or other personal property of another, or who shall wilfully or carelessly break, injure, deface or destroy, any house or building, or any part thereof, or fence, railing, or any part thereof, or any sign, tree-box, lamp, lamp-post, hydrant, or fire-plug, or any chain or lock attached thereto, or in or about the same, or any other property of the City of Spokane, or who shall daub, or cause to be daubed, any such property with paint or other substances; and any person or persons, who shall hitch, fasten, or cause or suffer to be hitched or fastened, any animal, under the control or in the service of such person or persons, to any ornamental, shade tree, plant or shrub, in or upon any street, avenue, alley, sidewalk, park, public square, or other public place in the City of Spokane, or to any case or tree-box around any such tree, plant or shrub, or suffers or permits any such animal to remain so hitched or fastened after knowing that such animal is so hitched or fastened, or who shall stop, hitch or fasten, or suffer or cause to be stopped, hitched or fastened, any such animal so near any such tree, plant, shrub, case or box, or any hydrant or fire-plug, that such animal can ordure, bite or injure, such tree, plant, shrub, case, box, hydrant, or fire-plug, or any person or persons who shall cause or suffer any animal under such person or persons control, to bite, or in any manner injure, any such tree, plant, shrub, case, box, hydrant or fire-plug, shall upon conviction for any such offense, be fined not more than fifty dollars nor less than ten dollars and pay the costs of prosecution, and be confined in the city jail until such fine and costs are paid; *provided*, nothing herein shall be so construed as to prevent the owner or owners, or agent, of the property along side thereof, from trimming any such tree, plant or shrub in a proper manner and at the proper time of the year for such trimming, or from repairing such case or tree-box whenever the same needs such repairs.

SEC. 2. This ordinance shall take effect and be in force ten days after its passage.

Passed the City Council March 5, 1895.

ORDINANCE NO. A170.

AN ORDINANCE RELATING TO PARKS AND PUBLIC SQUARES OF THE CITY OF SPOKANE.

The City of Spokane does ordain as follows:

SECTION 1. The management and control of all public parks and public squares of the city is vested in the Park Commission.

SEC. 2. It shall be the duty of the Park Commission to keep the fences of all enclosed public grounds in repair, and also all sidewalks around said public grounds.

SEC. 3. No person shall enter or leave any of the public parks or other enclosed public grounds of the City of Spokane except by their gateway. No person shall climb or walk upon their walls or fences.

SEC. 4. Neither cattle, horses, goats, swine or other animals, except as herein provided, shall be turned into any one of said parks, public squares or public grounds by any person. All persons are forbidden to carry firearms or to throw stone or other missiles within any one of the public parks or other public grounds of the city. All persons are forbidden to cut, break or in any way injure or deface the trees, shrubs, plants, turf, or any of the buildings, fences, or other constructions or property within or upon any of the said parks or public grounds.

SEC. 5. No person shall expose any article or thing for sale upon any of said parks or other public grounds, except such person shall have been previously licensed by the Park Commission, nor shall any peddling or hawking be allowed therein.

SEC. 6. No threatening, abusive, insulting or indecent language shall be allowed in any parks or public grounds of the city whereby a breach of the peace may be occasioned. No person shall be allowed to tell fortunes or to play at any game of chance at or with any table or instrument of gaming, nor to do therein any obscene or indecent act.

SEC. 7. The Park Commission may direct that any of the entrances to the public park be closed at any time.

SEC. 8. No person shall post or otherwise affix any bills, notice or other paper upon any structure or thing within any park or other public grounds of the city nor upon any of the gates or enclosures thereof.

SEC. 9. No person shall, without the consent of the Park Commission, play upon any musical instrument, nor shall any person take into or carry or display in said public parks any banner, target or transparency. No military or target company, civic or other, shall be permitted to parade, drill or perform therein any military or other evolution or movement. Nor shall any fire engine, hose cart or other machine on wheels, commonly used for the extinguishing of fire, be allowed on any part of said parks or other public grounds without the previous consent of the Park Commission, except in case of fire.

SEC. 10. No person other than employes shall light, make or use any fire in said parks or other public grounds.

SEC. 11. No person shall go upon any grass, lawn or turf of the parks or other public grounds, except when and where the word "Common" is posted; indicating that persons are at liberty at that time and place to go on the grass. The Park Commission shall cause printed or written copies of prohibitions of this ordinance to be posted in said parks or grounds.

SEC. 12. Any member of the city police shall have power to arrest any person who shall not desist from any violations of this ordinance when directed, and cause him to be committed for examination.

SEC. 13. Any person who shall violate any provisions of this ordi-

nance, or who shall neglect or fail or refuse to comply with any or either of the requirements thereof, shall, on conviction, pay a fine of not less than five dollars nor more than one hundred dollars, and the costs of prosecution.

SEC. 14. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SEC. 15. This ordinance shall take effect ten days after its passage.
Passed by the City Council March 11, 1892.

ORDINANCE NO. 99.

AN ORDINANCE TO REGULATE SOLICITORS FOR HOTELS, BOARDING HOUSES, HACKS, OMNIBUSES AND OTHER VEHICLES.

The City of Spokane Falls does ordain as follows:

SECTION 1. No person shall solicit for a hotel, boarding house, hack, omnibus or other vehicle or for any other purpose whatever inside the depot of any railroad company within the City of Spokane Falls, nor upon the platform thereof, excepting three feet of said platform next to and abutting on the street, which space shall be designated by a line being placed upon said platform or painted by said railroad company thereon.

As amended by Ordinance No. 117, passed March 8, 1888.

SEC. 2. Any person acting as solicitor for a hotel, boarding house, hack, omnibus, or other vehicle, whether for himself or as agent for another, shall conduct his business in a quiet, orderly manner, and in an ordinary tone of voice, and shall not molest or intrude himself upon any passenger or other person or individual with him or his baggage, except as requested by the owner thereof.

SEC. 3. No person shall habitually lounge or stay in a railroad depot in the city without having and making known, when so requested by any policeman or civil magistrate, his business thereat, nor without having legitimate business or errand at such railroad depot.

SEC. 4. No person shall hitch his horse, mule or team to any truck, platform or lamp-post at said depot, or on the platform thereof.

SEC. 5. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than five dollars nor more than fifty dollars.

SEC. 6. This ordinance shall take effect and be in force from and after five days after its passage and publication.

Passed the City Council December 28, 1887.